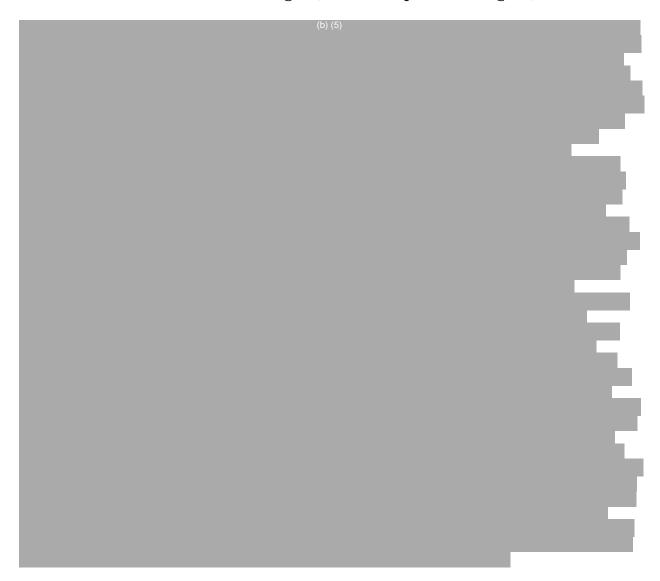


two opinions
David McIntosh to: Richard Windsor, Lisa Heinzerling

02/16/2009 09:03 AM

David McIntosh/DC/USEPA/US From:

Richard Windsor/DC/USEPA/US@EPA, Lisa Heinzerling/DC/USEPA/US@EPA, To:





Bob.Sussman

-- Region 8 Admiistrator

Richard Windsor, Marygrace Galston, Eric Wachter

02/16/2009 09:21 AM

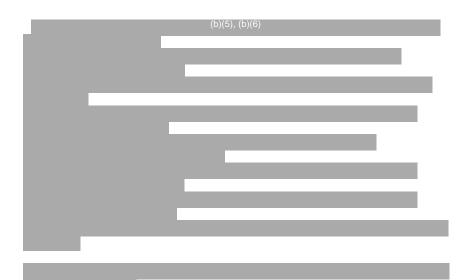
From:

To:

Richard Windsor/DC/USEPA/US@EPA, Marygrace Galston/DC/USEPA/US@EPA, Eric Wachter/DC/USEPA/US@EPA,

History:

This message has been forwarded.



Let me know if I can be of any help.

----0

age----

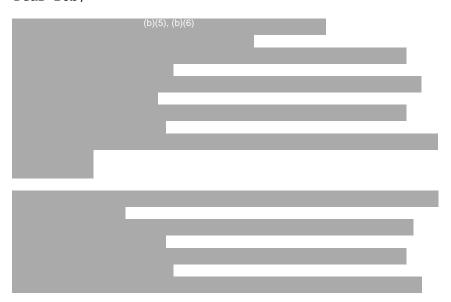
From: (b)(6) [mailto:

Sent: Friday, February 13, 2009 1:25 PM

To: Sussman, Bob (DC)

Subject: Re: Senior Policy Counsel

Dear Bob,





To comply with IRS regulations, we advise you that any discussion of Federal tax issues in this e-mail was not intended or written to be used, and cannot be used by you, (i) to avoid any penalties imposed under the Internal Revenue Code or (ii) to promote, market or recommend to another party any transaction or matter addressed herein.

 This email may contain material that is confidential, privileged and/or attorney work product for the sole use of the intended recipient. Any review, reliance or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

Latham & Watkins LLP





draft email to White House

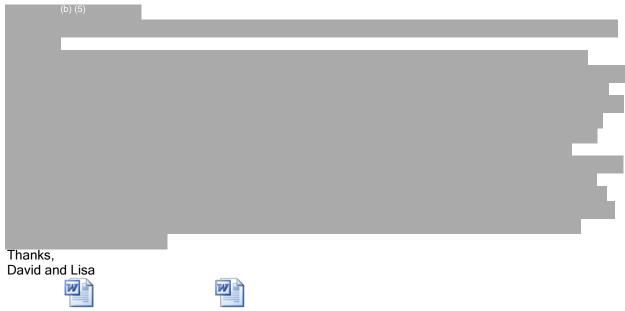
David McIntosh to: Richard Windsor, Lisa Heinzerling

02/16/2009 10:19 AM

From: David McIntosh/DC/USEPA/US

To: Richard Windsor/DC/USEPA/US@EPA, Lisa Heinzerling/DC/USEPA/US@EPA,

Below and attached is what I'd propose to send to Joe Aldy and Heather Zichal in an hour or two. Please let me know what you think.





Re: draft email to White House

David McIntosh to: Lisa Heinzerling, Richard Windsor

02/16/2009 10:26 AM

From: David McIntosh/DC/USEPA/US

To: Lisa Heinzerling/DC/USEPA/US@EPA, Richard Windsor/DC/USEPA/US@EPA,

History: This message has been replied to.

Below and attached is what I'd propose to send t... 02/16/2009 10:19:08 AM David McIntosh

David McIntosh/DC/USEPA/US From:

Richard Windsor/DC/USEPA/US@EPA, Lisa Heinzerling/DC/USEPA/US@EPA To:

Date: 02/16/2009 10:19 AM Subject: draft email to White House

Below and attached is what I'd propose to send to Joe Aldy and Heather Zichal in an hour or two. Please let me know what you think.



David and Lisa





EPA Proposed Light Edits.doc EPA Proposed Heavier Edits.doc



FYI: POTUS / CB schedule

Allyn Brooks-LaSure to: Richard Windsor

From: Allyn Brooks-LaSure/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA,

POTUS this week:

Tuesday -- Stimulus in Denver Wednesday -- Renegotiating Mortgages Event in Phoenix Thursday -- First trip abroad to Ottawa Event with PM Harper.

CB this week:

Thursday -- Travel with POTUS to Canada Friday -- Wind, Mass Transit Event Saturday -- Meeting with 12 NGA governors 02/16/2009 11:38 AM



Re: draft email to White House

Richard Windsor to: David McIntosh, Lisa Heinzerling

02/16/2009 11:45 AM

Richard Windsor/DC/USEPA/US From:

David McIntosh/DC/USEPA/US@EPA, Lisa Heinzerling/DC/USEPA/US@EPA, To:

Your earlier email regarding the importance of staying relevant and helpful was certainly persuasive. As long as you and Lisa feel comfortable, let 'er rip.

If I were writing this, I would give at least some verbiage to the potentially devastating consequences of climate change both domestically and internationally. But I suppose that will also lie with the speechwriters.

Thx, Li

David McIntosh

---- Original Message -----From: David McIntosh

Sent: 02/16/2009 10:26 AM EST

To: Lisa Heinzerling; Richard Windsor

David McIntosh

Below and attached is what I'd propose to send t... 02/16/2009 10:19:08 AM

From: David McIntosh/DC/USEPA/US

Richard Windsor/DC/USEPA/US@EPA, Lisa Heinzerling/DC/USEPA/US@EPA To:

02/16/2009 10:19 AM Date: Subject: draft email to White House

Below and attached is what I'd propose to send to Joe Aldy and Heather Zichal in an hour or two. Please let me know what you think.



Thanks,

David and Lisa

[attachment "EPA Proposed Light Edits.doc" deleted by Richard Windsor/DC/USEPA/US] [attachment "EPA Proposed Heavier Edits.doc" deleted by Richard Windsor/DC/USEPA/US]



Interviews for Tuesday

Allyn Brooks-LaSure to: Richard Windsor

From: Allyn Brooks-LaSure/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA,

You have interviews tomorrow with the NY Times and Associated Press. Both interviews are intended as handshake meetings -- and will allow you to develop key relationships with reporters who will cover you and EPA.

John Broder will ask you about endangerment issues -- because he began writing a story specifically on that. We will discuss this in more detail tomorrow.

I will staff you for the interviews and David Cohen, Lisa H. and I will brief you beforehand.



INTERVIEW WITH NEW YORK TIMES

REPORTER: John Broder

SUBJECT: Handshake meeting; Opportunity to outline agenda; endangerment

TIME: 4:15-4:30pm (30 minutes)

INTERVIEW WITH ASSOCIATED PRESS

REPORTER: Dina Cappiello

SUBJECT: Handshake meeting; Opportunity to outline agenda

TIME: 4:45-5:15pm (30 minutes)

NOTE: According to Lisa H., the Sierra Club is expected to file their motion for a stay tomorrow at 10:00am. Therefore, this issue may very well come up in both interviews. We are working on messaging for this.

02/16/2009 12:14 PM

Blackberry calendar

Robert Goulding to: Richard Windsor 02/16/2009 12:58 PM

From: Robert Goulding/DC/USEPA/US

To: "Richard Windsor" < Windsor. Richard@epamail.epa.gov>,

History: This message has been replied to.

Hey,

Has your calendar on the blackberry been working right? Have there been things showing up on that that is not reflected in the paper calendar we're sending u home with? I've noticed things aren't deleting on the desktop calendar, so I hope its not confusing you on the bberry.

notice of reconsideration of Johnson memo

Lisa Heinzerling to: Richard Windsor 02/16/2009 01:23 PM

From: Lisa Heinzerling/DC/USEPA/US

To: Richard Windsor/DC/USEPA/US@EPA,

Lisa,

Here is the current draft of a letter stating that we are granting the petition for reconsideration of the Johnson memo. It follows the approach you and I discussed last night. I drafted the letter this morning, and OGC has signed off on it. OAR is now reviewing it

Lisa



LH Johnson memo reconsideration.doc



Re: Your call with Bettina on TVA

Bob Sussman, Eric Wachter, Richard **David McIntosh** Windsor, Robert Goulding

02/16/2009 01:30 PM

David McIntosh/DC/USEPA/US From:

 ${\tt Bob\ Sussman/DC/USEPA/US@EPA,\ Eric\ Wachter/DC/USEPA/US@EPA,\ Richard\ Windsor/DC/USEPA/US@EPA,\ Robert\ Goulding/DC/USEPA/US@EPA,\ }$ To:

[Cleanup of TVA site??]

Bob Sussman I agree with the overall gameplan with a few mo... 02/15/2009 05:56:33 PM

Bob Sussman/DC/USEPA/US From:

Richard Windsor/DC/USEPA/US@EPA To:

Cc: David McIntosh/DC/USEPA/US@EPA, Eric Wachter/DC/USEPA/US@EPA, Robert

Goulding/DC/USEPA/US@EPA

02/15/2009 05:56 PM Date:

Re: Your call with Bettina on TVA Subject:

I agree with the overall gameplan with a few modifications:



Robert M. Sussman Senior Policy Counsel to the Administrator Office of the Administrator US Environmental Protection Agency

Richard Windsor Thanks Bob. So

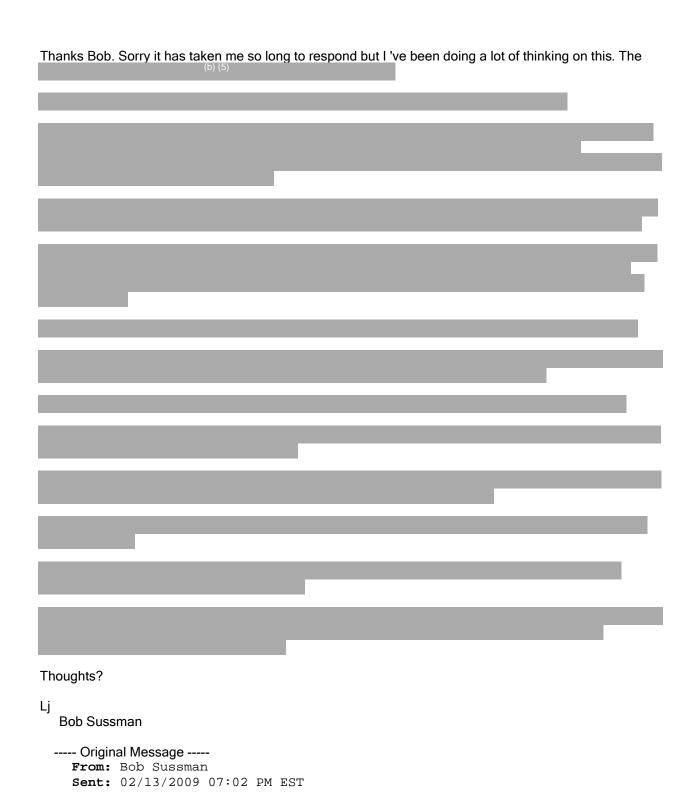
Thanks Bob. Sorry it has taken me so long to res... 02/15/2009 04:58:02 PM





cc David McIntosh/DC/USEPA/US@EPA, Robert Goulding/DC/USEPA/US@EPA, Eric Wachter/DC/USEPA/US@EPA

Subject Re: Your call with Bettina on TVA



To: Richard Windsor



Robert M. Sussman Senior Policy Counsel to the Administrator Office of the Administrator US Environmental Protection Agency Re: Your call with Bettina on TVA

Bob Sussman to: David McIntosh, Eric Wachter, Richard Windsor, Robert Goulding

02/16/2009 02:22 PM

Bob Sussman/DC/USEPA/US From:

David McIntosh/DC/USEPA/US@EPA, Eric Wachter/DC/USEPA/US@EPA, Richard Windsor/DC/USEPA/US@EPA, Robert Goulding/DC/USEPA/US@EPA, To:

Well done David. You might share w Lisa what you told me --David McIntosh ---- Original Message -----From: David McIntosh **Sent:** 02/16/2009 01:30 PM EST To: Bob Sussman; Eric Wachter; Richard Windsor; Robert Goulding Subject: Re: Your call with Bettina on TVA

[Cleanup of TVA site??]

Bob Sussman I agree with the overall gameplan with a few mo... 02/15/2009 05:56:33 PM

From: Bob Sussman/DC/USEPA/US

To: Richard Windsor/DC/USEPA/US@EPA

Cc: David McIntosh/DC/USEPA/US@EPA, Eric Wachter/DC/USEPA/US@EPA, Robert

Goulding/DC/USEPA/US@EPA

Date: 02/15/2009 05:56 PM

Subject: Re: Your call with Bettina on TVA

I agree with the overall gameplan with a few modifications:

		(b) (5)			
				_	
					г.
_		-	_	_	_
	_	-	_	_	
					•
					_
					_

David?

Robert M. Sussman Senior Policy Counsel to the Administrator Office of the Administrator US Environmental Protection Agency

Richard Windsor

Thanks Bob. Sorry it has taken me so long to res... 02/15/2009 04:58:02 PM



Richard Windsor/DC/USEPA/US 02/15/2009 04:59 PM

To Bob Sussman/DC/USEPA/US@EPA

cc David McIntosh/DC/USEPA/US@EPA, Robert Goulding/DC/USEPA/US@EPA, Eric Wachter/DC/USEPA/US@EPA

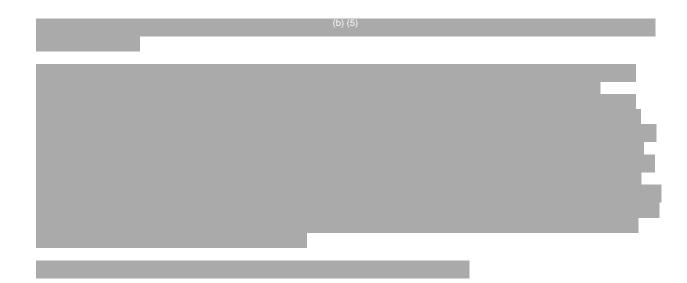
Subject Re: Your call with Bettina on TVA

Thanks Bob. Sorry it has taken me so long to respond but I 've been doing a lot of thinking on this. The

```
Thoughts?

Lj
Bob Sussman
```





Robert M. Sussman Senior Policy Counsel to the Administrator Office of the Administrator US Environmental Protection Agency



Re: Your call with Bettina on TVA

David McIntosh to: Bob Sussman

Cc: Eric Wachter, Richard Windsor, Robert Goulding

From: David McIntosh/DC/USEPA/US
To: Bob Sussman/DC/USEPA/US@EPA,

Cc: Eric Wachter/DC/USEPA/US@EPA, Richard Windsor/DC/USEPA/US@EPA, Robert

Goulding/DC/USEPA/US@EPA

(b) (5)

Bob Sussman Well done David. You might share w Lisa what y... 02/16/2009 02:22:22 PM

From: Bob Sussman/DC/USEPA/US

To: David McIntosh/DC/USEPA/US@EPA, Eric Wachter/DC/USEPA/US@EPA, Richard

Windsor/DC/USEPA/US@EPA, Robert Goulding/DC/USEPA/US@EPA

Date: 02/16/2009 02:22 PM

Subject: Re: Your call with Bettina on TVA

Well done David. You might share w Lisa what you told me --

(b) (5)

02/16/2009 04:38 PM

David McIntosh

---- Original Message ----From: David McIntosh

Sent: 02/16/2009 01:30 PM EST

To: Bob Sussman; Eric Wachter; Richard Windsor; Robert Goulding

Subject: Re: Your call with Bettina on TVA

(b) (5)



[Cleanup of TVA site??]

I agree with the overall gameplan with a few mo... 02/15/2009 05:56:33 PM **Bob Sussman**

From:

Bob Sussman/DC/USEPA/US Richard Windsor/DC/USEPA/US@EPA To:

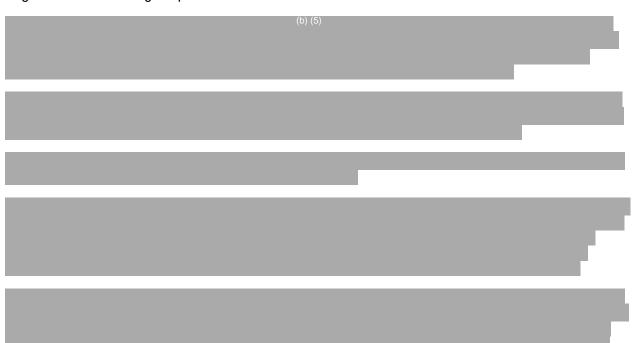
David McIntosh/DC/USEPA/US@EPA, Eric Wachter/DC/USEPA/US@EPA, Robert Cc:

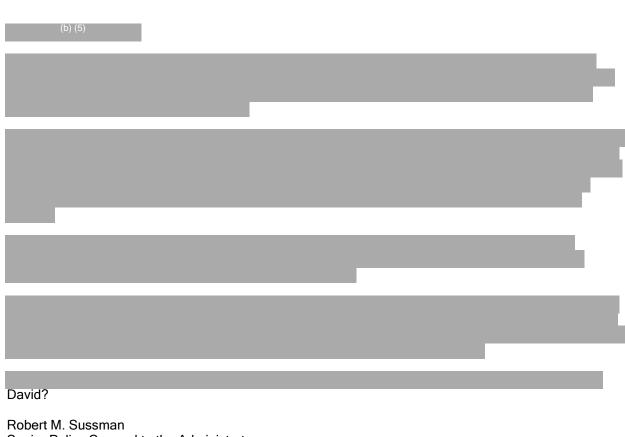
Goulding/DC/USEPA/US@EPA 02/15/2009 05:56 PM

Date:

Re: Your call with Bettina on TVA Subject:

I agree with the overall gameplan with a few modifications:





Senior Policy Counsel to the Administrator Office of the Administrator US Environmental Protection Agency

Richard Windsor Thanks Bob. Sorry it has taken me so long to res... 02/15/2009 04:58:02 PM



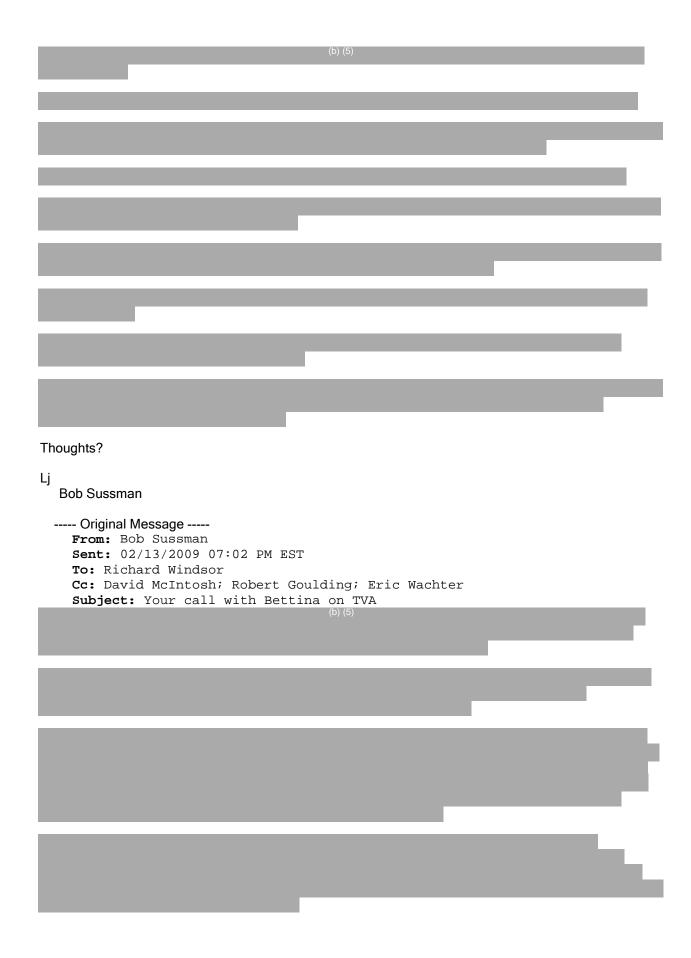
Richard Windsor/DC/USEPA/US 02/15/2009 04:59 PM

To Bob Sussman/DC/USEPA/US@EPA

cc David McIntosh/DC/USEPA/US@EPA, Robert Goulding/DC/USEPA/US@EPA, Eric Wachter/DC/USEPA/US@EPA

Subject Re: Your call with Bettina on TVA

Thanks Bob. Sorry it has taken me so long to respond but I 've been doing a lot of thinking on this. T	he
	_





Robert M. Sussman Senior Policy Counsel to the Administrator Office of the Administrator US Environmental Protection Agency



report on today's inter-agency meeting

David McIntosh to: Richard Windsor Cc: Lisa Heinzerling, Robert Goulding

02/16/2009 04:53 PM

From: David McIntosh/DC/USEPA/US

To: Richard Windsor/DC/USEPA/US@EPA,

Cc: Lisa Heinzerling/DC/USEPA/US@EPA, Robert Goulding/DC/USEPA/US@EPA

History: This message has been replied to.

Today's Browner-staff-led inter-agency meeting on the draft climate and energy legislative principles ran from 2:00-3:30 today. Lisa H and I presented the proposed edits that you saw earlier today -- both the small ones and the restructuring.

(b) (5)

Johnson memo miscellaneous

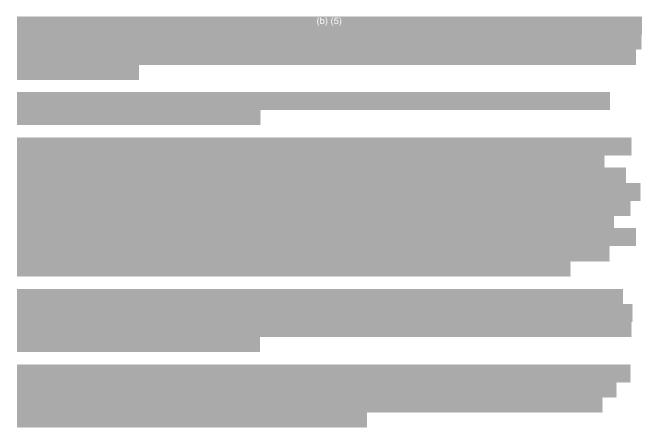
Lisa Heinzerling to: Richard Windsor 02/16/2009 05:38 PM

From: Lisa Heinzerling/DC/USEPA/US

To: Richard Windsor/DC/USEPA/US@EPA,

History: This message has been replied to.

Several items on the Johnson memo matter:



Sorry for so many items, but there are many moving parts to this.



LPJ letter granting motion for reconsideration of Johnson memo.doc

Good news re: Johnson memo

Lisa Heinzerling to: Richard Windsor, Allyn Brooks-LaSure 02/16/2009 07:34 PM

From: Lisa Heinzerling/DC/USEPA/US

To: "Richard Windsor" < Windsor.Richard@epamail.epa.gov>, "Allyn Brooks-LaSure"

<Brooks-LaSure.Allyn@epamail.epa.gov>,

History: This message has been replied to.

The Sierra Club and other petitioners who have challenged the Johnson memo on PSD will NOT be asking the court to stay the memo tomorrow.

Have a good night.



Re: Good news re: Johnson memo
Richard Windsor to: Lisa Heinzerling

02/16/2009 10:34 PM

From: Richard Windsor/DC/USEPA/US

To: Lisa Heinzerling/DC/USEPA/US@EPA,

Wow. How did you pull THAT off? Lisa Heinzerling

---- Original Message -----

From: Lisa Heinzerling

Sent: 02/16/2009 07:34 PM EST

To: Richard Windsor; Allyn Brooks-LaSure Subject: Good news re: Johnson memo

The Sierra Club and other petitioners who have challenged the Johnson memo on PSD will NOT be asking the court to stay the memo tomorrow.

Have a good night.



Re: Johnson memo miscellaneous

Richard Windsor to: Lisa Heinzerling

Cc: "Eric Wachter"

From: Richard Windsor/DC/USEPA/US

To: Lisa Heinzerling/DC/USEPA/US@EPA,

Cc: "Eric Wachter" <wachter.eric@epa.gov>

Great letter. Will sign in the morning. Eric - let's plan on sending to Regions 8, 9 and 10 no later than 9 am EST tomorrow. Lj

Lisa Heinzerling

---- Original Message -----

From: Lisa Heinzerling

Sent: 02/16/2009 05:38 PM EST

To: Richard Windsor

Subject: Johnson memo miscellaneous

Several items on the Johnson memo matter:



Sorry for so many items, but there are many moving parts to this.

[attachment "LPJ letter granting motion for reconsideration of Johnson memo.doc" deleted by Richard Windsor/DC/USEPA/US]

02/16/2009 10:41 PM



Re: report on today's inter-agency meeting

Richard Windsor to: David McIntosh Cc: Lisa Heinzerling, Robert Goulding

From: Richard Windsor/DC/USEPA/US
To: David McIntosh/DC/USEPA/US@EPA,

Cc: Lisa Heinzerling/DC/USEPA/US@EPA, Robert Goulding/DC/USEPA/US@EPA

(b) (5)

David McIntosh

---- Original Message ----From: David McIntosh

Sent: 02/16/2009 04:53 PM EST

To: Richard Windsor

Cc: Lisa Heinzerling; Robert Goulding

Subject: report on today's inter-agency meeting

Today's Browner-staff-led inter-agency meeting on the draft climate and energy legislative principles ran from 2:00-3:30 today. Lisa H and I presented the proposed edits that you saw earlier today -- both the small ones and the restructuring.

02/16/2009 10:42 PM



Re: Heads-up on NSR case filing Richard Windsor to: Bob Sussman

Cc: "Allyn Brooks-Lasure", "Eric Wachter"

From: Richard Windsor/DC/USEPA/US
To: Bob Sussman/DC/USEPA/US@EPA,

Cc: "Allyn Brooks-Lasure" < Brooks-lasure.allyn@epa.gov>, "Eric Wachter"

<wachter.eric@epa.gov>

Sure - a quote from me or Scott makes sense.

Bob Sussman

---- Original Message ----- From: Bob Sussman

Sent: 02/15/2009 06:17 PM EST

To: Richard Windsor; Allyn Brooks-LaSure Subject: Fw: Heads-up on NSR case filing

See below. DOJ/OECA are announcing a major new NSR enforcement case next week. In the absence of

a confirmed AA for OECA, a quote from lisa in the press release would make sense

Catherine McCabe thinks it's a good idea. What do you

02/16/2009 10:44 PM

think?

Robert M. Sussman Senior Policy Counsel to the Administrator Office of the Administrator

US Environmental Protection Agency

----- Forwarded by Bob Sussman/DC/USEPA/US on 02/15/2009 06:06 PM -----

Catherine

McCabe/DC/USEPA/US

To Bob Sussman/DC/USEPA/US@EPA

02/15/2009 06:05 PM

Subject Re: Heads-up on NSR case filing

(b) (5

Sent by EPA Wireless E-Mail Services

Bob Sussman

---- Original Message ----- From: Bob Sussman

Sent: 02/15/2009 04:31 PM EST

To: Catherine McCabe

Subject: Re: Heads-up on NSR case filing

Catherine --- another question on this new case. Will there be a quote from the Administrator in the news release announcing the case filing? My recollection is that this has been the practice in the past but my recall may be faulty. If there will be a quote from her, we may want to give Lisa a heads up?

Robert M. Sussman Senior Policy Counsel to the Administrator Office of the Administrator US Environmental Protection Agency **Bob Sussman**

Thanks catherine. The NSR story is probably si...

02/13/2009 09:17:48 AM

Bob Sussman/DC/USEPA/US

02/13/2009 09:17 AM

To Catherine McCabe/DC/USEPA/US

CC

Subject Re: Heads-up on NSR case filing

Thanks catherine. The NSR story is probably simpler than the world thinks. But as new utility actions are filed, people will take notice. I'm sure lisa would be interested in the historical perspective and what OECA forsees going forward.

Catherine McCabe Good idea, Bob, will do. The outside perception... 02/12/2009 09:29:03 PM

Catherine

McCabe/DC/USEPA/US

To Bob Sussman/DC/USEPA/US@EPA

02/12/2009 09:29 PM

Subject Re: Heads-up on NSR case filing

Good idea, Bob, will do. The outside perception is bemusing to those of us who have been at this for years now.

Sent by EPA Wireless E-Mail Services

Bob Sussman

---- Original Message ----- From: Bob Sussman

Sent: 02/12/2009 07:33 PM EST

To: Catherine McCabe; LisaP Jackson

Cc: Eric Wachter

Subject: Re: Heads-up on NSR case filing

Catherine. I think it would be helpful to brief Lisa on the status of the NSR enforcement initiative generally -- cases in litigation or the pipeline, resources committed and EPA strategic goals. Since many outside the agency believe EPA's pozture has changed with the new Administration. It would be useful to update lisa on the state of play.

Catherine McCabe

---- Original Message -----

From: Catherine McCabe

Sent: 02/12/2009 07:01 PM EST

To: LisaP Jackson

Cc: Eric Wachter; Bob Sussman

Subject: Heads-up on NSR case filing

Lisa, Bob - fyi, we expect the Dept of Justice to file another NSR case against a power plant next week - Big Cajun plant in Louisiana. This is just the latest in our ongoing enforcement initiative against power plants, but it may get some press. If you would like paper or a briefing, please let me know. Cc Eric

Sent by EPA Wireless E-Mail Services



Re: Blackberry calendar 🗎

Richard Windsor to: Robert Goulding

From: Richard Windsor/DC/USEPA/US

Robert Goulding/DC/USEPA/US@EPA, To:

I think its fine but will let you know if I notice issues. Robert Goulding

---- Original Message -----

From: Robert Goulding

Sent: 02/16/2009 12:59 PM EST

To: Richard Windsor

Subject: Blackberry calendar

Hey,

Has your calendar on the blackberry been working right? Have there been things showing up on that that is not reflected in the paper calendar we're sending u home with? I've noticed things aren't deleting on the desktop calendar, so I hope its not confusing you on the bberry.

02/16/2009 10:49 PM



Re: Deseret 🗎

Richard Windsor to: Lisa Heinzerling

02/16/2009 10:51 PM

From: Richard Windsor/DC/USEPA/US

To: Lisa Heinzerling/DC/USEPA/US@EPA,

(b) (5)

Lisa Heinzerling

---- Original Message -----

From: Lisa Heinzerling

Sent: 02/16/2009 12:38 PM EST

To: Richard Windsor

Subject:

(b) (5)

---- Forwarded by Lisa Heinzerling/DC/USEPA/US on 02/16/2009 12:34 PM -----



"Freeman, Jody L."

(b) (6)

.gov>

02/16/2009 12:28 PM

To Lisa Heinzerling/DC/USEPA/US@EPA

CC

Subject RE: Deseret

Lisa,

Thanks. I will pass that along.

(b) (5)

Thanks again.

Jody

----Original Message----

From: Heinzerling.Lisa@epamail.epa.gov [mailto:Heinzerling.Lisa@epamail.epa.gov] Sent: Monday, February 16, 2009 12:22 PM

To: Freeman, Jody L. Subject: Re: Deseret

Jody,

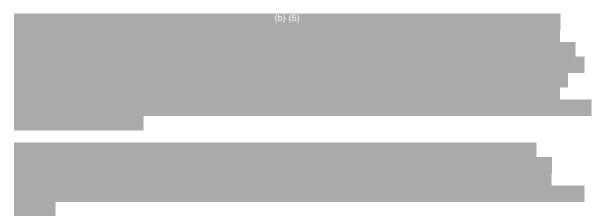


Lisa

"Freeman, Jody L." <Jody_L._Freeman @who.eop.gov> 02/16/2009 12:10 PM

To
Lisa Heinzerling/DC/USEPA/US@EPA
cc
Subject
Deseret

Lisa,



Thanks.

Jody Freeman

Counselor for Energy and Climate Change Office of Energy and Climate Change



Re: Heads-up on NSR case filing

Allyn Brooks-LaSure to: Richard Windsor, Bob Sussman

02/16/2009 10:52 PM

Cc: "Michael Allyn Brooks-LaSure", "Eric Wachter"

From: Allyn Brooks-LaSure/DC/USEPA/US

Richard Windsor/DC/USEPA/US@EPA, Bob Sussman/DC/USEPA/US@EPA, To: Cc: "Michael Allyn Brooks-LaSure" <brooks-lasure.allyn@epa.gov>, "Eric Wachter"

<wachter.eric@epa.gov>

OPA will engage OECA (and our DOJ contact) on the draft release and I will write a quote from you. Thanks for flagging, Bob.

Richard Windsor

---- Original Message -----

From: Richard Windsor

Sent: 02/16/2009 10:44 PM EST

To: Bob Sussman

Cc: "Allyn Brooks-Lasure" <Brooks-lasure.allyn@epa.gov>; "Eric Wachter"

<wachter.eric@epa.gov>

Subject: Re: Heads-up on NSR case filing

Sure - a quote from me or Scott makes sense.

Bob Sussman

---- Original Message -----

From: Bob Sussman

Sent: 02/15/2009 06:17 PM EST

To: Richard Windsor; Allyn Brooks-LaSure Subject: Fw: Heads-up on NSR case filing

See below. DOJ/OECA are announcing a major new NSR enforcement case next week. In the absence of

a confirmed AA for OECA, a quote from lisa in the press release would make sense

Catherine McCabe thinks it's a good idea. What do you

think?

Robert M. Sussman

Senior Policy Counsel to the Administrator

Office of the Administrator

US Environmental Protection Agency

---- Forwarded by Bob Sussman/DC/USEPA/US on 02/15/2009 06:06 PM -----

Catherine

McCabe/DC/USEPA/US

To Bob Sussman/DC/USEPA/US@EPA

02/15/2009 06:05 PM

Subject Re: Heads-up on NSR case filing

Sent by EPA Wireless E-Mail Services **Bob Sussman**

---- Original Message -----From: Bob Sussman

Sent: 02/15/2009 04:31 PM EST

To: Catherine McCabe

Subject: Re: Heads-up on NSR case filing

Catherine --- another question on this new case. Will there be a quote from the Administrator in the news release announcing the case filing? My recollection is that this has been the practice in the past but my recall may be faulty. If there will be a quote from her, we may want to give Lisa a heads up?

Robert M. Sussman Senior Policy Counsel to the Administrator Office of the Administrator US Environmental Protection Agency

Bob Sussman Thanks catherine. The NSR story is probably si... 02/13/2009 09:17:48 AM

Bob Sussman/DC/USEPA/US

02/13/2009 09:17 AM To Catherine McCabe/DC/USEPA/US

CC

Subject Re: Heads-up on NSR case filing

Thanks catherine. The NSR story is probably simpler than the world thinks. But as new utility actions are filed, people will take notice. I'm sure lisa would be interested in the historical perspective and what OECA forsees going forward.

Catherine McCabe Good idea, Bob, will do. The outside perception... 02/12/2009 09:29:03 PM

Catherine

McCabe/DC/USEPA/US

To Bob Sussman/DC/USEPA/US@EPA

02/12/2009 09:29 PM

Subject Re: Heads-up on NSR case filing

Good idea, Bob, will do. The outside perception is bemusing to those of us who have been at this for years now.

Sent by EPA Wireless E-Mail Services

Bob Sussman

---- Original Message ----- From: Bob Sussman

Sent: 02/12/2009 07:33 PM EST

To: Catherine McCabe; LisaP Jackson

Cc: Eric Wachter

Subject: Re: Heads-up on NSR case filing

Catherine. I think it would be helpful to brief Lisa on the status of the NSR enforcement initiative generally -- cases in litigation or the pipeline, resources committed and EPA strategic goals. Since many outside the agency believe EPA's pozture has changed with the new Administration. It would be useful to update lisa on the state of play.

Catherine McCabe

---- Original Message -----

From: Catherine McCabe

Sent: 02/12/2009 07:01 PM EST

To: LisaP Jackson

Cc: Eric Wachter; Bob Sussman

Subject: Heads-up on NSR case filing

Lisa, Bob - fyi, we expect the Dept of Justice to file another NSR case against a power plant next week - Big Cajun plant in Louisiana. This is just the latest in our ongoing enforcement initiative against power plants, but it may get some press. If you would like paper or a briefing, please let me know. Cc Eric

Sent by EPA Wireless E-Mail Services



Meet and Greet with Louisiana Dept of Environmental Quality Sec. Harold Leggett & Dep. Sec. Alexander Appeaning

Wed 03/18/2009 10:00 AM - 10:15

AM

Attendance is delegated

Chair: Megan Cryan/DC/USEPA/US

Sent By: Daniel Gerasimowicz/DC/USEPA/US

Location: The Administrator's Office



This entry is marked private.

Description

Ct: Marian Mergist (b) (6)

Staff: Joyce Frank, Michelle Hiller Purvis(OCIR), Beth Craig (OAR), Mike Shapiro (OW), Lawrence Starfield (R6) to call in

Attendees: LA DEQ Secretary Harold Leggett, Deputy Secretary Alexander Appeaning



Staff Briefing

Tue 03/17/2009 1:00 PM - 1:45 PM

Attendance is delegated

Daniel Gerasimowicz/DC/USEPA/US Chair: Sent By: **Daniel Gerasimowicz/DC/USEPA/US**

Location: The Bullet Room



This entry is marked private.

Description

Subject: Briefing to discuss Ocean Going Vessel Programs IMO/ECA and NPRM

Ct: Shela Poke-Williams 564-1850

 $\label{lem:condition} Craig/Zinger/Oge/Stewart/France/Simon/Hannon/Dubois/Delaney/Bunker/Revelt/Samulski/Aranda/Horowitz/Freedman/Wise/Simon/Atkinson/Cristofaro$

(audio hookup to Administrator's conference line needed)



Remarks: Reception following 2009 Winter Env Grantmakers Assoc. mtg

Tue 02/24/2009 5:30 PM - 6:15 PM

Attendance is delegated

Chair: **Robert Goulding/DC/USEPA/US** Sent By: **Robert Goulding/DC/USEPA/US**

Location: Omni Shoreham Hotel 2500 Calvert St (at Conneticut) NW



This entry is marked private.

Description

INTRO LPJ: Enviro Americas Margie Alt or some one form the hill



NGA Climate/Energy Meeting

Sat 02/21/2009 4:30 PM - 5:30

Attendance is delegated

Robert Goulding/DC/USEPA/US Chair: Sent By: **Robert Goulding/DC/USEPA/US**

Location: JW Marriott, 1331 Pennsylvania Ave., NW



This entry is marked private.

Description Staff:Dave McIntosh, (b) (6) Dave McIntosh will attend with the Administrator (b)(6), (b)(7)(F) Security Ct: **Personal Notes**



Team Photos Sat 02/21/2009 8:00 AM - 11:00

Attendance is delegated

Robert Goulding/DC/USEPA/US Chair: Sent By: **Robert Goulding/DC/USEPA/US** Location: Peddie School, Hightstown



This entry is marked private.

Description



Env and Climate Chg Working Group Wed 02/18/2009 1:45 PM - Wed 02/25/2009 2:45

Attendance is delegated

Robert Goulding/DC/USEPA/US Chair: Sent By: **Robert Goulding/DC/USEPA/US** Location: Indian Treaty Room, EEOB



Personal Notes

This entry is marked private.

Description			

gridiron club dinner

Robert Goulding to: Richard Windsor 02/17/2009 10:02 AM

From: Robert Goulding/DC/USEPA/US

To: Richard Windsor/DC/USEPA/US@EPA,

Hey -

I'm sorry - I was misinformed - it is in march. More details will follow.

Robert Goulding
Director of Operations
US EPA - Office of the Administrator
1200 Pennsylvania Ave., NW
Washington, DC 20004
(p) 202-564-4700
(f) 202-501-1450

^{*}Please consider the environment before printing this e-mail



No Meetings Wed 02/18/2009 11:30 AM - 1:00

Attendance is **delegated**

Chair: **Robert Goulding/DC/USEPA/US** Sent By: **Robert Goulding/DC/USEPA/US**

No Location Information



This entry is marked private.

Description



Depart for WH Wed 02/18/2009 1:35 PM - 1:45

Attendance is delegated

Robert Goulding/DC/USEPA/US Chair: Sent By: **Robert Goulding/DC/USEPA/US**

Courtyard North Location:



This entry is marked private.

D			æ		_
Des	Cr	HD)	CI	OI	n



Mtg with the Czech Minister for the Environment/President of the **EU Environmental Council Martin Bursik, Swedish Minister** Andreas Carlgren, EC Commissioner for the Environment, Stavros **Dimas**

Mon 03/16/2009 9:20 AM - 10:10

AM

Attendance is delegated

Megan Cryan/DC/USEPA/US Chair:

Daniel Gerasimowicz/DC/USEPA/US Sent By:

Location: The Bullet Room



This entry is marked private.

Description

Ct Eva Cernikova (b) (6)

EPA Staff: Lisa Heinzerling, Dave McIntosh, Anna Phillips (OIA) Scott Fulton Michael Stahl, Walker Smith

Delegation of the Czech Republic:

Mr. Martin Bursík, Minister of the Environment, President of the EU Environment Council

Mr. Pavel Zámyslický, Director of Climate Change Department, Min. of Environment

Mr. James Leigh Hunt, Minister's Envoy for Climate Change, Min. of Environment

Delegation of the European Commission:

Mr. Stavros Dimas, EC Commissioner for Environment

Mr. Laurence Graff, cabinet member

Mr.Jos Delbeke, Deputy Director-General

Mr. Angelos Pangratis, deputy Head of Delegation of the European Commission

Delegation of Sweden:

Mr. Andreas Carlgren. Minister for the Environment Mrs. Åsa-Britt Karlsson, State Secretary, Ministry of the Environment Mr. Anders Turesson, Chief Negotiator Climate Change Mr. Jonas Hafström, Ambassador, Swedish Embassy

(there will be a brief photo op in the Administrator's office, then the group will meet in the Bullet Room)



Meeting with United Nations Framework Convention on Climate Change Executive Secretary Mr. Yvo de Boer

Wed 03/04/2009 3:15 PM - 3:45

PM

Attendance is delegated

Chair: Megan Cryan/DC/USEPA/US

Sent By: Daniel Gerasimowicz/DC/USEPA/US

Location: The Administrator's Office



This entry is marked private.

Description

Ct: Henning Wuester 49-228-8151115 or hwuester@unfccc.int

EPA Staff: Lisa Heinzerling, Gary Waxmonsky, Martin Dieu, Walker Smith

UNFCC Staff Attending: Henning Wuester, Carrie Assheuer



Remarks - American Coalition of Ethanol

Mon 03/02/2009 9:45 AM - 10:15

Attendance is delegated

Megan Cryan/DC/USEPA/US Chair: Sent By: **Robert Goulding/DC/USEPA/US**

Location: Washington Court, The Montpelliar Room, 2nd Flr. 525 New Jersey Ave



This entry is marked private.

Description	

Roughly 35 Attendees, Remarks & Q&A

Ct: Brian Jennings (b) (6)



Craig Hooks to Handle: Briefing to discuss Follow-ups from Union Meeting

Mon 02/23/2009 2:45 PM - 3:15 PM

Attendance is delegated

Chair: Daniel Gerasimowicz/DC/USEPA/US Daniel Gerasimowicz/DC/USEPA/US Sent By:

Location: The Administrator's Office



This entry is marked private.

Description

Ct: Dennis Franklin 564-0333 Hooks/Hazen/Lemley/Davis



Depart for Washington Court Hotel, 525 New Jersey Ave NW

Mon 03/02/2009 9:25 AM - 9:45

Attendance is delegated

Daniel Gerasimowicz/DC/USEPA/US Chair: Sent By: **Daniel Gerasimowicz/DC/USEPA/US**

Location: Ariel Rios



This entry is marked private.

D	:	4:	
Des	cri	nti	ดท



Depart for Ariel Rios

Mon 03/02/2009 10:15 AM - 10:30

Attendance is delegated

Megan Cryan/DC/USEPA/US Chair: Sent By: **Robert Goulding/DC/USEPA/US**

Location: Washington Court Hotel



This entry is marked private.

Description



Depart for Ariel Rios Wed 02/18/2009 4:00 PM - 4:15

Attendance is delegated

Chair: Daniel Gerasimowicz/DC/USEPA/US Sent By: Daniel Gerasimowicz/DC/USEPA/US

Location: Hart Senate Building



This entry is marked private.

Description



Fw: (b)(5), (b)(6) -- Region 8 Admiistrator LisaP Jackson to: Eric Wachter

Sent by: Richard Windsor

LisaP Jackson/DC/USEPA/US From: То: Eric Wachter/DC/USEPA/US,

---- Forwarded by Richard Windsor/DC/USEPA/US on 02/17/2009 02:29 PM -----

From:

Richard Windsor/DC/USEPA/US@EPA, Marygrace Galston/DC/USEPA/US@EPA, Eric Wachter/DC/USEPA/US@EPA To:

02/17/2009 02:29 PM

Date: 02/16/2009 09:21 AM

-- Region 8 Admiistrator Subject:

(b)(5), (b)(6)

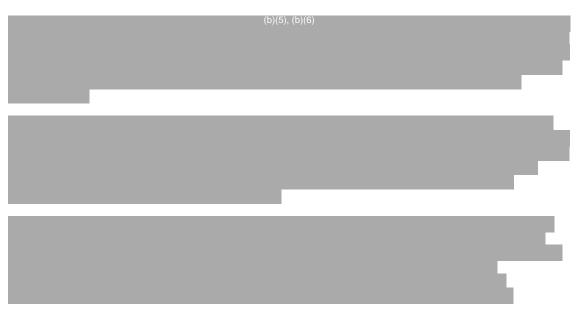
age----

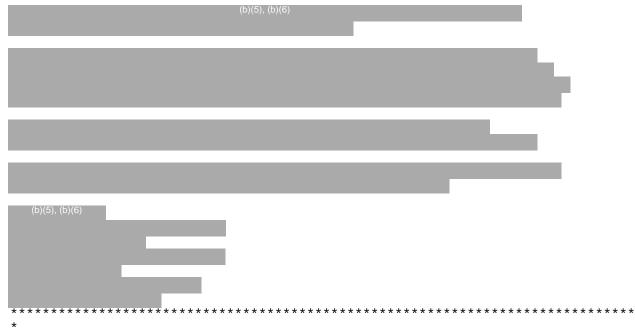
(b)(5), (b)(6) [mailto: From: Sent: Friday, February 13, 2009 1:25 PM

To: Sussman, Bob (DC)

Subject: Re: Senior Policy Counsel

Dear Bob,





To comply with IRS regulations, we advise you that any discussion of Federal tax issues in this

 $\mbox{e-mail}$ was not intended or written to be used, and cannot be used by you, (i) to avoid any penalties

imposed under the Internal Revenue Code or (ii) to promote, market or recommend to another party any transaction or matter addressed herein.

This email may contain material that is confidential, privileged and/or attorney work product for the sole use of the intended recipient. Any review, reliance or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

Latham & Watkins LLP





Re: Lisa Jackson's Director of Advance status.

LisaP Jackson to: marcus.mcclendon

Sent by: Richard Windsor

Bcc: Marygrace Galston, Robert Goulding

From: LisaP Jackson/DC/USEPA/US

To: (b) (6)

Bcc: Marygrace Galston/DC/USEPA/US@EPA, Robert Goulding/DC/USEPA/US@EPA

Thanks Marcus. This is my private email account. There is no Mr. Windsor. Lj

marcus.mcclendon Mr. Windsor, I just received a call from Mrs. Ci... 02/17/2009 02:29:36 PM

02/17/2009 02:31 PM

From: (b)

To: Richard Windsor/DC/USEPA/US@EPA

Date: 02/17/2009 02:29 PM

Subject: Lisa Jackson's Director of Advance status.

Mr. Windsor,

I just received a call from Mrs. Cizner from White House personell. she had me re-send her the documents requested due to a email issue on Friday.

she has it and is now looking over those documents now. Just an FYI.

Best Regards,

Marcus McClendon

Sent from my BlackBerry Smartphone provided by Alltel



Reception

Sat 03/07/2009 6:30 PM - 10:00

Attendance is delegated

Chair: **Robert Goulding/DC/USEPA/US** Sent By: **Robert Goulding/DC/USEPA/US**

Location: Trenton, NJ



This entry is marked private.

Description



Briefing to discuss the TRI Annual Data Release

Thu 02/19/2009 3:45 PM - 4:30

Attendance is delegated

Chair: Daniel Gerasimowicz/DC/USEPA/US Sent By: Daniel Gerasimowicz/DC/USEPA/US

Location: The Bullet Room



This entry is marked private.

Description

Ct: Gayle Jefferson 564-1630

Cristofaro/Carnahan/Sussman/Matthews/Travers/Wise/Thiem/Anders/Flynn/Petruska/Wentworth.Martin/Smith



R 2 Regional Visit

Fri 03/06/2009 8:00 AM - 5:00

Attendance is delegated

Robert Goulding/DC/USEPA/US Chair: Sent By: **Robert Goulding/DC/USEPA/US**

Location: R2 Headquarters



This entry is marked private.

Description



Speaking at Black History Month Observance

Wed 02/18/2009 10:05 AM - 10:15

Attendance is delegated

Robert Goulding/DC/USEPA/US Chair: Sent By: Robert Goulding/DC/USEPA/US

Location: RRB Amphitheatre



This entry is marked private.

-		4 5 4	
Des	crii	ntic	n
	v	~ -10	



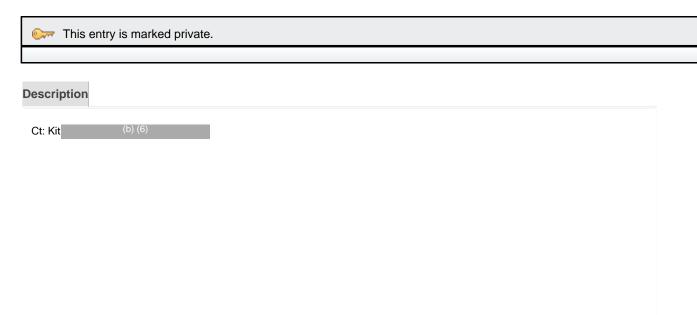
Meeting with Kit Batten

Thu 02/19/2009 2:30 PM - 3:00

Attendance is delegated

Chair: Robert Goulding/DC/USEPA/US
Sent By: Robert Goulding/DC/USEPA/US

Location: Your Office





Call with Federal Energy Regulatory Commission (FERC) Acting **Chairman Jon Wellinghoff**

Fri 02/20/2009 10:30 AM - 10:45 AM

Attendance is delegated

Chair: Daniel Gerasimowicz/DC/USEPA/US Daniel Gerasimowicz/DC/USEPA/US Sent By:

Location: The Administrator's Office



This entry is marked private.

Description

Ct: Lashonda 202-502-6580

The Chairman's office will dial the Administrator on 564-4700



Krissah Thompson (WaPost) to trail you Wed 02/18/2009 9:40 AM - 11:15

AM

Attendance is delegated

Robert Goulding/DC/USEPA/US Chair: Sent By: **Robert Goulding/DC/USEPA/US**

Location: EPA



This entry is marked private.

Description				
	D		4	
	168	cri	ЮΤΙ	on



Presidential Address to Congress

Tue 02/24/2009 9:00 PM - 10:00

Attendance is delegated

Chair: Eric Wachter/DC/USEPA/US Sent By: **Eric Wachter/DC/USEPA/US**

Location: Hall of the House of Representatives



This entry is marked private.

		4.5	
es			



Working Lunch w/ Dave McIntosh

Thu 02/26/2009 12:00 PM - 12:45 PM

Attendance is delegated

Robert Goulding/DC/USEPA/US Robert Goulding/DC/USEPA/US Chair: Sent By:

Location: Your Office



This entry is marked private.

Description



Pete Silva

Thu 02/19/2009 4:30 PM - 5:00

Attendance is delegated

Robert Goulding/DC/USEPA/US Chair: Sent By: **Robert Goulding/DC/USEPA/US**

Location: Your Office



This entry is marked private.

Description



Coffee w/ Pete Silva

Thu 02/19/2009 8:00 AM - 8:30

ΑN

Attendance is delegated

Chair: Robert Goulding/DC/USEPA/US
Sent By: Robert Goulding/DC/USEPA/US

Location: Starbucks, JW Marriott Lobby, 1331 Pennsylvania Avenue NW





Meeting with Mike Shapiro to discuss the Chesapeake Bay

Wed 02/25/2009 3:30 PM - Mon 02/23/2009 3:45

Attendance is delegated

Daniel Gerasimowicz/DC/USEPA/US Chair: Sent By: Daniel Gerasimowicz/DC/USEPA/US

Location: The Administrator's Office



This entry is marked private.

Description

Ct: Lori Keyton 564-5768



Meeting with Science Advisory Board (SAB) Chair Dr. Deborah **Swackhamer**

Thu 02/26/2009 1:00 PM - 1:45 PM

Attendance is delegated

Chair: Daniel Gerasimowicz/DC/USEPA/US Daniel Gerasimowicz/DC/USEPA/US Sent By:

Location: The Administrator's Office



This entry is marked private.

Description

Ct: Vanessa Vu 202-343-9874

Vu/Maciorowski/Swackhamer



HOLD - Press Call on Stimulus

Wed 02/18/2009 12:15 PM - 12:30

Attendance is delegated

Chair: **Robert Goulding/DC/USEPA/US** Sent By: **Robert Goulding/DC/USEPA/US**

Location: Your Office



This entry is marked private.

Description



HOLD - Lunch w/ Krissah Wed 02/18/2009 11:15 AM - 12:00

Attendance is delegated

Chair: **Robert Goulding/DC/USEPA/US** Sent By: **Robert Goulding/DC/USEPA/US**

Location: Your Office



This entry is marked private.

_							
п	es	0	ri	n	4i	_	n
ப	-5	L		IJ		u	-



Question

LisaP Jackson to: Craig Hooks Sent by: Richard Windsor

Scott Fulton

From: LisaP Jackson/DC/USEPA/US

To: Craig Hooks,

Cc: Scott Fulton/DC/USEPA/US@EPA

Re the SRF money, is the money for loans only? I thought it was grants as well.

02/17/2009 05:53 PM



Briefing to discuss EPA's Final Aquatic Pesticides Rule

Thu 02/19/2009 1:30 PM - 2:15

Attendance is delegated

Chair: Daniel Gerasimowicz/DC/USEPA/US Sent By: Daniel Gerasimowicz/DC/USEPA/US

Location: The Bullet Room



This entry is marked private.

Description

Ct: Lori Keyton 564-5768

Shapiro/Hanlon/Boornazian/Wiedeman/Garelick/Jones'/Bradbury/Jordan/Diamond/Hirsch/Neugeboren/Mallory/Leveine/Nigoff/Kn orr/Capacasa/Sussman/Wise/Cristofaro

Fw: following up: ICR needed for CCW

Bob Sussman to: Richard Windsor 02/17/2009 06:27 PM

From: Bob Sussman/DC/USEPA/US

To: Richard Windsor/DC/USEPA/US@EPA,

Lisa -- answer to your question on ICRs for 104(e) letters, per OGC. Once I make contact with OMB and CEQ, we'll make sure that the ICR moves as quickly as possible.

(b) (5)

Robert M. Sussman
Senior Policy Counsel to the Administrator
Office of the Administrator
US Environmental Protection Agency

---- Forwarded by Bob Sussman/DC/USEPA/US on 02/17/2009 06:23 PM -----

Barry Breen/DC/USEPA/US

02/17/2009 05:36 PM To Bob Sussman/DC/USEPA/US@EPA

СС

Subject following up: ICR needed for CCW

Dear Bob,

I double-checked -- OGC agrees with the conclusion that an Information Collection Request will be needed for the 104(e) letters. The only pertinent exception is if they were sent out as enforcement letters, but that's not the case here and isn't OECA's preference.

Barry



Re: Executive Search Agency

LisaP Jackson to: Marygrace Galston

Sent by: Richard Windsor Eric Wachter

From: LisaP Jackson/DC/USEPA/US To: Marygrace Galston/DC/USEPA/US, Cc: Eric Wachter/DC/USEPA/US@EPA

I would say yes for IG (though Craig Hooks has one possibility) or CFO. But I think we want to look to the states for the head of OEI.

Marygrace Galston Lisa- The White House is going to employ an Ex... 02/17/2009 06:31:16 PM

From: Marygrace Galston/DC/USEPA/US Richard Windsor/DC/USEPA/US@EPA To: Eric Wachter/DC/USEPA/US@EPA Cc:

Date: 02/17/2009 06:31 PM Subject: **Executive Search Agency**

Lisa- The White House is going to employ an Exec Search Agency. Do we want them to get us candidates for 2 or 3 positions?

Inspector General? **Environmental Information?** CFO?

let me know your thoughts! Thanks.

02/17/2009 06:54 PM

^{*}mg



Allyn Brooks-LaSure to: Richard Windsor

02/17/2009 07:38 PM

Allyn Brooks-LaSure/DC/USEPA/US From: Richard Windsor/DC/USEPA/US@EPA, To:

I saw him today -- and he's not in a burning house, but seems to need some resolution soon. Said standing by until next week or slightly thereafter would not be an undue hardship -- but it would be good for him to know if there is room for him here.

MABL.

Lisa Heinzerling to: Richard Windsor 02/18/2009 07:35 AM

From: Lisa Heinzerling/DC/USEPA/US

To: "Richard Windsor" < Windsor.Richard@epamail.epa.gov>,

History: This message has been replied to.

I know you're mtg w Chris Miller 8. He wrote yesterday to thank us for PSD action but also to ask whether we could say something pointed to Nevada thru region 9 because of permitting out there. I said we could likely ask that Nevada get official notice of your letter on Johnson memo and that it be placed in docket for one active permit proceeding. He may bring this up this morning. I think it's fine to do the things I just mentioned, and am happy to follow through with region 9 if you'd like me to.



Talk w/ Craig Hughes Wed 02/18/2009 5:45 PM - 6:15

Attendance is delegated

Chair: **Robert Goulding/DC/USEPA/US** Sent By: **Robert Goulding/DC/USEPA/US**

Location:



This entry is marked private.

Description



Briefing to discuss Perfluorinated Compounds (PFCs) and Perfluorooctanoic acid (PFOA)

Wed 03/04/2009 4:15 PM - 5:00

PM

Attendance is delegated

Chair: Daniel Gerasimowicz/DC/USEPA/US Sent By: Daniel Gerasimowicz/DC/USEPA/US

Location: The Bullet Room



This entry is marked private.

Description

Ct: Scott Gordon 404-562-9741

Kushner/Wiedeman/Breen/McCabe/Fehrenbacher/Auer/Dougherty/Tulis/Ohanian/Doyle/King/Hill/Mitchell/Woolford/ Giattina/Hanlon/Jones/Davis/Reiter/

Libelo/Sheldon/Wise/Pollins/Shapiro/Hirsch/Hill/Wynn/Kelley/Highsmith/Meiburg/Neugeboren/Rubini/Rudzinski/Cleland-Hamnett

(audio hookup needed for RTP and Region 3) (Video hookup needed for R2, R4 and R5)



Homeland Security Briefing

Wed 03/11/2009 9:45 AM - 10:30

AM

Attendance is delegated

Daniel Gerasimowicz/DC/USEPA/US Chair: Sent By: Daniel Gerasimowicz/DC/USEPA/US

Location: **EOC - SCIF**



This entry is marked private.

Description

Ct: Caroline Brown 564-2893

Reyes/Stolworthy/Martin/Fulton



Homeland Security Briefing

Mon 04/20/2009 9:30 AM - Tue 04/07/2009 10:30

Attendance is delegated

Daniel Gerasimowicz/DC/USEPA/US Chair: Sent By: Daniel Gerasimowicz/DC/USEPA/US

Location: The Administrator's Office



This entry is marked private.

Description

Ct: Caroline Brown 564-2893



Address the USDA 85th Outlook Forum

Thu 02/26/2009 7:00 PM - 8:00

Attendance is delegated

Robert Goulding/DC/USEPA/US Chair: Sent By: **Robert Goulding/DC/USEPA/US**

Location: Crystal Gateway Marriott Hotel, Arlington, VA

This entry is marked private.

Description Site Contact: Brenda Chapin, (b) (6) cell (b) (6) Advance: Megan Cryan OPA Allyn Brook LaSure Staff: Eric Wachter (b) (6) (b)(6), (b)(7)(F) Security: Speaking at 7:15 PM **Personal Notes**



Re:

Richard Windsor to: Lisa Heinzerling

02/18/2009 01:09 PM

From: Richard Windsor/DC/USEPA/US

To: Lisa Heinzerling/DC/USEPA/US@EPA,

Yes - please reach out to Region 9. Let me know if you want to continue this morning's discussion by phone. Lisà

Lisa Heinzerling

---- Original Message -----

From: Lisa Heinzerling

Sent: 02/18/2009 07:36 AM EST

To: Richard Windsor

I know you're mtg w Chris Miller 8. He wrote yesterday to thank us for PSD action but also to ask whether we could say something pointed to Nevada thru region 9 because of permitting out there. I said we could likely ask that Nevada get official notice of your letter on Johnson memo and that it be placed in docket for one active permit proceeding. He may bring this up this morning. I think it's fine to do the things I just mentioned, and am happy to follow through with region 9 if you'd like me to.



Depart for WH

Thu 02/19/2009 11:50 AM - 12:00 PM

Attendance is **delegated**

Robert Goulding/DC/USEPA/US Robert Goulding/DC/USEPA/US Chair: Sent By:

Location: Ariel Rios



This entry is marked private.

Description

Re: 🗎

Lisa Heinzerling to: Richard Windsor 02/18/2009 01:14 PM

From: Lisa Heinzerling/DC/USEPA/US

To: Richard Windsor/DC/USEPA/US@EPA,

Thanks, I will.

I'm ok for now with where we left this morning's discussion. Thanks.

Richard Windsor Yes - please reach out to Region 9. Let me know...

02/18/2009 01:08:36 PM



Richard Windsor/DC/USEPA/US

To Lisa Heinzerling/DC/USEPA/US@EPA

02/18/2009 01:09 PM

Subject Re:

CC

Yes - please reach out to Region 9. Let me know if you want to continue this morning's discussion by phone. Lisà

Lisa Heinzerling

---- Original Message -----

From: Lisa Heinzerling

Sent: 02/18/2009 07:36 AM EST

To: Richard Windsor

I know you're mtg w Chris Miller 8. He wrote yesterday to thank us for PSD action but also to ask whether we could say something pointed to Nevada thru region 9 because of permitting out there. I said we could likely ask that Nevada get official notice of your letter on Johnson memo and that it be placed in docket for one active permit proceeding. He may bring this up this morning. I think it's fine to do the things I just mentioned, and am happy to follow through with region 9 if you'd like me to.



Breakfast w/ Secretary Chu

Thu 02/26/2009 8:00 AM - 9:00

AM

Attendance is delegated

Robert Goulding/DC/USEPA/US Chair: Sent By: **Robert Goulding/DC/USEPA/US** Location: Cafe Du Parc, 1401 Pennsylvania



This entry is marked private.

Description

Ct: Lyndsey 202-586-7941; DeeDee, 586-6210



This is my Private Email
Richard Windsor to: Doug Palmer
Cc: "Robert Goulding", "Eric Wachter"

Richard Windsor/DC/USEPA/US From: "Doug Palmer" <dhp@trentonnj.org>, To:

Cc: "Robert Goulding" <goulding.robert@epa.gov>, "Eric Wachter" <wachter.eric@epa.gov>

Doug,

Here is my email.

Lisa

02/18/2009 01:22 PM



Lunch on Friday at 1230 pm

Richard Windsor to: Eric Wachter, Robert Goulding

Cc: "Allyn Brooks-Lasure"

From: Richard Windsor/DC/USEPA/US

To: "Eric Wachter" <wachter.eric@epa.gov>, "Robert Goulding" <goulding.robert@epa.gov>,

Cc: "Allyn Brooks-Lasure" < Brooks-lasure.allyn@epa.gov>

Invite coming from US Conf of Mayors (Doug Palmer)

02/18/2009 01:24 PM

Re: Lunch on Friday at 1230 pm

Robert Goulding to: Richard Windsor 02/18/2009 01:31 PM

Cc: "Allyn Brooks-Lasure", "Robert Goulding", "Eric Wachter"

From: Robert Goulding/DC/USEPA/US

To: Richard Windsor/DC/USEPA/US@EPA,

Cc: "Allyn Brooks-Lasure" < Brooks-lasure.allyn@epa.gov>, "Robert Goulding"

<goulding.robert@epa.gov>, "Eric Wachter" <wachter.eric@epa.gov>

History: This message has been replied to.

just got it - about to schedule it.

Robert Goulding
Director of Operations
US EPA - Office of the Administrator
1200 Pennsylvania Ave., NW
Washington, DC 20004
(p) 202-564-4700
(f) 202-501-1450

*Please consider the environment before printing this e-mail

Richard Windsor Invite coming from US Conf of Mayors (Doug Pal... 02/18/2009 01:24:02 PM

From: Richard Windsor/DC/USEPA/US

To: "Eric Wachter" <wachter.eric@epa.gov>, "Robert Goulding" <goulding.robert@epa.gov>

Cc: "Allyn Brooks-Lasure" < Brooks-lasure.allyn@epa.gov>

Date: 02/18/2009 01:24 PM Subject: Lunch on Friday at 1230 pm

Invite coming from US Conf of Mayors (Doug Palmer)



Luncheon Remarks at USCM

Fri 02/20/2009 1:30 PM - 2:15

Attendance is delegated

Robert Goulding/DC/USEPA/US Chair: Sent By: **Robert Goulding/DC/USEPA/US**

Location: Capital Hilton Hotel



This entry is marked private.

Description

Site Contact: Judy, 703-585-3432

Advance: Megan Cryan, (b) (6)

Staff: Eric Wachter, (b) (6)

Security Advance:



Re: Lunch on Friday at 1230 pm Richard Windsor to: Robert Goulding

From: Richard Windsor/DC/USEPA/US

To: Robert Goulding/DC/USEPA/US@EPA,

Tx!

Robert Goulding

---- Original Message -----

From: Robert Goulding

Sent: 02/18/2009 01:31 PM EST

To: Richard Windsor

Cc: "Allyn Brooks-Lasure" <Brooks-lasure.allyn@epa.gov>; "Robert Goulding"

02/18/2009 01:33 PM

<goulding.robert@epa.gov>; "Eric Wachter" <wachter.eric@epa.gov>

Subject: Re: Lunch on Friday at 1230 pm

just got it - about to schedule it.

Robert Goulding
Director of Operations
US EPA - Office of the Administrator
1200 Pennsylvania Ave., NW
Washington, DC 20004
(p) 202-564-4700
(f) 202-501-1450

*Please consider the environment before printing this e-mail

Richard Windsor Invite coming from US Conf of Mayors (Doug Pal... 02/18/2009 01:24:02 PM

From: Richard Windsor/DC/USEPA/US

To: "Eric Wachter" <wachter.eric@epa.gov>, "Robert Goulding" <goulding.robert@epa.gov>

Cc: "Allyn Brooks-Lasure" < Brooks-lasure.allyn@epa.gov>

Date: 02/18/2009 01:24 PM Subject: Lunch on Friday at 1230 pm

Invite coming from US Conf of Mayors (Doug Palmer)



Amtrak, 158 Regional - Travel to Trenton

Sat 02/21/2009 6:20 PM - Fri 02/20/2009 8:47

Attendance is delegated

Robert Goulding/DC/USEPA/US Chair: Sent By: **Robert Goulding/DC/USEPA/US**

Location: **Union Station**



This entry is marked private.

Description



79 Amtrak Regional

Mon 02/23/2009 8:02 AM - Sun 02/22/2009 10:25

Attendance is delegated

Robert Goulding/DC/USEPA/US Chair: Sent By: **Robert Goulding/DC/USEPA/US**

Location: Trenton Station



This entry is marked private.

Description				
	D		4	
	168	cri	ЮΤΙ	on



Marge Kriz, National Journal

Fri 02/20/2009 11:30 AM - 12:00

Attendance is delegated

Robert Goulding/DC/USEPA/US Chair: Sent By: **Robert Goulding/DC/USEPA/US**

Location: Your Office



This entry is marked private.

Description

Contact: Roxanne



Trade Groups Press Call

Fri 02/27/2009 11:00 AM - 12:00

Attendance is delegated

Robert Goulding/DC/USEPA/US Chair: **Robert Goulding/DC/USEPA/US** Sent By:

Location: Your Office



This entry is marked private.

Description

Press:

Darren Samuelsohn, Greenwire Steve Cook and Bill Pritchard, BNA Maria Hegstad, Risk Policy Report Anthony Lacey, Inside EPA

Ct: Roxanne



Briefing: Lead in DC Drinking Water Mon 03/09/2009 10:00 AM - Thu 03/05/2009 10:45

Attendance is delegated

Chair: Daniel Gerasimowicz/DC/USEPA/US Sent By: Daniel Gerasimowicz/DC/USEPA/US

Location: The Bullet Room



This entry is marked private.

Description

Ct: Janice Donlon 215-814-5565

Wisniewski/Capacasa/Garvin/Shapiro/Dougherty/Burneson/Kempic/Blette/Sussman/Capacasa/Brooks-LaSure/ Region 3 will attend in person (audio hookup needed)



Depart for The Omni Shoreham Hotel

Tue 02/24/2009 5:00 PM - 5:15 PM

Attendance is delegated

Megan Cryan/DC/USEPA/US Robert Goulding/DC/USEPA/US Chair: Sent By:

Location: Ariel Rios



This entry is marked private.

Description



Address the Environmental Council of the States (ECOS) Meeting

Mon 03/23/2009 12:00 PM - 12:50

Attendance is delegated

Chair: **Daniel Gerasimowicz/DC/USEPA/US** Sent By: Daniel Gerasimowicz/DC/USEPA/US Location: Hilton Old Town, 1767 King St Alexandria VA



This entry is marked private.

Description

Ct: Michelle Hiller Purvis 564-3702

Approximately 250 ECOS members/staff, and 40 Sr. EPA Staff will be in attendance



Attend Local Government Advisory Committee (LGAC) Spring Meeting

Tue 03/24/2009 9:00 AM - 9:30 AM

Attendance is delegated

Chair: Daniel Gerasimowicz/DC/USEPA/US Sent By: Daniel Gerasimowicz/DC/USEPA/US

Location: Fairfax Embassy Row Hotel

2100 Massachusetts Avenue, NW



This entry is marked private.

Description

Ct: Joyce Frank 564-3699



Cancelled - Dinner w/ Valerie Jarrett

Thu 03/12/2009 7:30 PM - Tue 03/03/2009 9:00

Attendance is delegated

Robert Goulding/DC/USEPA/US Chair: Sent By: **Robert Goulding/DC/USEPA/US**

Location: Tosca - 1112 F. St., NW



This entry is marked private.

Description		
Ct: (b) (6) Reservations under Robert Goulding		
Personal Notes		



Re: Lunch on Friday at 1230 pm

Allyn Brooks-LaSure to: Richard Windsor

Cc: "Allyn Brooks-Lasure", "Robert Goulding", "Eric Wachter"

From: Allyn Brooks-LaSure/DC/USEPA/US
To: Richard Windsor/DC/USEPA/US@EPA,

Cc: "Allyn Brooks-Lasure" < Brooks-lasure.allyn@epa.gov>, "Robert Goulding"

<goulding.robert@epa.gov>, "Eric Wachter" <wachter.eric@epa.gov>

History: This message has been replied to.

BTW -- the White House is trying to coordinate a photo shoot on Friday or Monday. It is for Ebony's 100 Most Influential Blacks.

They have invited: Desiree Rogers, Holder, Bill Burton, Susan Rice, Ron Kirk, Melody Barnes, Valerie Jarrett, Rob Nabors, etc.

Will let you know when time is finalized.

MABL.

Richard Windsor Invite coming from US Conf of Mayors (Doug Pal... 02/18/2009 01:24:01 PM

From: Richard Windsor/DC/USEPA/US

To: "Eric Wachter" <wachter.eric@epa.gov>, "Robert Goulding" <goulding.robert@epa.gov>

Cc: "Allyn Brooks-Lasure" < Brooks-lasure.allyn@epa.gov>

Date: 02/18/2009 01:24 PM Subject: Lunch on Friday at 1230 pm

Invite coming from US Conf of Mayors (Doug Palmer)

02/18/2009 04:36 PM



Briefing on the 2009-2014 Strategic Plan

Tue 03/03/2009 3:30 PM - 4:15 PM

Attendance is delegated

Chair: **Daniel Gerasimowicz/DC/USEPA/US** Sent By: **Daniel Gerasimowicz/DC/USEPA/US**

Location: The Administrator's Office



This entry is marked private.

Description

Ct: Cheryl Mbaye 564-5186 Baylson/Froehlich/Smith/Fulton



Depart for Ariel Rios

Thu 02/19/2009 1:00 PM - 1:15

Attendance is delegated

Chair: Daniel Gerasimowicz/DC/USEPA/US Sent By: Daniel Gerasimowicz/DC/USEPA/US

Location: WH Mess



This entry is marked private.

Description



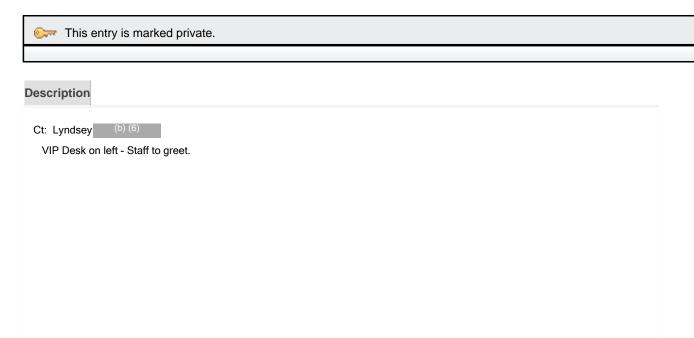
Climate and Energy Lunch

Mon 02/23/2009 12:30 PM - 1:30

PΝ

Attendance is delegated

Chair: Robert Goulding/DC/USEPA/US
Sent By: Robert Goulding/DC/USEPA/US
Location: DOE, 1000 Independence Ave., SW





ARA's National Meeting

Tue 03/10/2009 9:00 AM - 9:30 AM

Attendance is delegated

Robert Goulding/DC/USEPA/US Robert Goulding/DC/USEPA/US Chair: Sent By:

Location: 5020 ARN



This entry is marked private.

Description

Ct: Shirley Kelley 303-312-6532



Re: Lunch on Friday at 1230 pm

Richard Windsor to: Allyn Brooks-LaSure

Cc: "Allyn Brooks-Lasure", "Robert Goulding", "Eric Wachter"

Richard Windsor/DC/USEPA/US From:

Allyn Brooks-LaSure/DC/USEPA/US@EPA. To:

Cc: "Allyn Brooks-Lasure" < Brooks-lasure.allyn@epa.gov>, "Robert Goulding"

<goulding.robert@epa.gov>, "Eric Wachter" <wachter.eric@epa.gov>

COOL

Allyn Brooks-LaSure

---- Original Message -----

From: Allyn Brooks-LaSure **Sent:** 02/18/2009 04:36 PM EST

To: Richard Windsor

Cc: "Allyn Brooks-Lasure" <Brooks-lasure.allyn@epa.gov>; "Robert Goulding"

<goulding.robert@epa.gov>; "Eric Wachter" <wachter.eric@epa.gov>

Subject: Re: Lunch on Friday at 1230 pm

BTW -- the White House is trying to coordinate a photo shoot on Friday or Monday. It is for Ebony's 100

Most Influential Blacks.

They have invited: Desiree Rogers, Holder, Bill Burton, Susan Rice, Ron Kirk, Melody Barnes, Valerie Jarrett, Rob Nabors, etc.

Will let you know when time is finalized.

MABL.

Richard Windsor Invite coming from US Conf of Mayors (Doug Pal... 02/18/2009 01:24:01 PM

From: Richard Windsor/DC/USEPA/US

"Eric Wachter" <wachter.eric@epa.gov>, "Robert Goulding" <goulding.robert@epa.gov> To:

"Allyn Brooks-Lasure" < Brooks-lasure.allyn@epa.gov> Cc:

02/18/2009 01:24 PM Date: Subject: Lunch on Friday at 1230 pm

Invite coming from US Conf of Mayors (Doug Palmer)

02/18/2009 05:56 PM

Fw: Schedule Proposal for Administrator Lisa Jackson

Robert Goulding to: Richard Windsor 02/18/2009 05:57 PM

From: Robert Goulding/DC/USEPA/US

To: Richard Windsor/DC/USEPA/US@EPA,

History: This message has been replied to.

what do you think? Assistant (not acting)RA mtg at Potomac Yards - could probably arrange some offc visits while youre there.

Robert Goulding
Director of Operations
US EPA - Office of the Administrator
1200 Pennsylvania Ave., NW
Washington, DC 20004
(p) 202-564-4700
(f) 202-501-1450

*Please consider the environment before printing this e-mail

---- Forwarded by Robert Goulding/DC/USEPA/US on 02/18/2009 05:54 PM -----

From: Shirley Kelley/RA/R8/USEPA/US

To: Daniel Gerasimowicz/DC/USEPA/US@EPA, Robert Goulding/DC/USEPA/US@EPA, Megan

Cryan/DC/USEPA/US@EPA

Date: 02/18/2009 05:22 PM

Subject: Schedule Proposal for Administrator Lisa Jackson

Hello, Attached is a schedule proposal for the Administrator's attendance at the National ARA meeting. Please email or call if you have questions. Thank you.



Document.pdf Invitation for Administrator Jackson to attend the ARA National Meeting at Potomac Yards March 10 or 11, 2009

Shirley A. Kelley Staff Assistant to the Regional Administrator US EPA Region 8 1595 Wynkoop Street Denver, CO 80202 303-312-6532



Meeting with Congressman Nadler

Mon 03/02/2009 2:30 PM - 3:00

Attendance is delegated

Robert Goulding/DC/USEPA/US Chair: Sent By: **Robert Goulding/DC/USEPA/US**

Location: The Administrator's Office



This entry is marked private.

Description

Ct: Janice, (b) (6)

Barry Breen and Joyce Frank will attend with the Administrator

Nadler staff will include: Amy Rutkin, Jillian Youngblood, and Erin Drinkwater

Personal Notes



Re: Schedule Proposal for Administrator Lisa Jackson



Richard Windsor to: Robert Goulding

02/18/2009 06:41 PM

Richard Windsor/DC/USEPA/US From:

To: Robert Goulding/DC/USEPA/US@EPA.

Sure! Tx.

Robert Goulding

---- Original Message -----

From: Robert Goulding

Sent: 02/18/2009 05:57 PM EST

To: Richard Windsor

Subject: Fw: Schedule Proposal for Administrator Lisa Jackson

what do you think? Assistant (not acting) RA mtg at Potomac Yards - could probably arrange some offc

visits while youre there.

Robert Goulding **Director of Operations** US EPA - Office of the Administrator 1200 Pennsylvania Ave., NW Washington, DC 20004 (p) 202-564-4700 (f) 202-501-1450

*Please consider the environment before printing this e-mail

---- Forwarded by Robert Goulding/DC/USEPA/US on 02/18/2009 05:54 PM -----

From: Shirley Kelley/RA/R8/USEPA/US

Daniel Gerasimowicz/DC/USEPA/US@EPA, Robert Goulding/DC/USEPA/US@EPA, Megan To:

Cryan/DC/USEPA/US@EPA

Date: 02/18/2009 05:22 PM

Subject: Schedule Proposal for Administrator Lisa Jackson

Hello, Attached is a schedule proposal for the Administrator's attendance at the National ARA meeting. Please email or call if you have guestions. Thank you.

[attachment "Document.pdf" deleted by Richard Windsor/DC/USEPA/US] Invitation for Administrator Jackson to attend the ARA National Meeting at Potomac Yards March 10 or 11, 2009

Shirley A. Kelley Staff Assistant to the Regional Administrator US EPA Region 8 1595 Wynkoop Street Denver, CO 80202 303-312-6532



Broder story is out.

Allyn Brooks-LaSure to: Richard Windsor

02/18/2009 06:46 PM

From: Allyn Brooks-LaSure/DC/USEPA/US Richard Windsor/DC/USEPA/US@EPA. To:

History: This message has been replied to.

EPA to Regulate Greenhouse Gases

By JOHN M. BRODER

WASHINGTON - The Environmental Protection Agency is expected for the first time to regulate carbon dioxide and other greenhouse gases that scientists blame for the warming of the planet, according to top Obama administration officials.

The decision, which likely would play out in stages over a period of months, would have a profound impact on transportation, building standards, manufacturing costs and how utilities generate power. It could accelerate the progress of energy and climate change legislation in Congress and form a basis for the United States' negotiating position at United Nations climate talks set for December in Copenhagen.

The E.P.A. is under order from the Supreme Court to make a determination whether carbon dioxide is a pollutant that endangers public health and safety, an order that the Bush administration essentially ignored despite a near-unanimous belief among E.P.A. experts that the research points inexorably to such a finding.

<u>Lisa P. Jackson</u>, the new E.P.A. administrator, said in an interview that she has asked her staff to review the latest scientific evidence and prepare the documentation for a so-called endangerment finding, although she said she had not made a final decision to issue one. But she pointedly noted that the second anniversary of the Supreme Court decision, in Massachusetts v. E.P.A., is April 2. "We here know how momentous that decision could be," she said. "We have to lay out a road map."

She took a first step on Tuesday when she said the agency would reconsider a Bush administration decision not to regulate carbon dioxide emissions from new coal-burning power plants. In announcing the reversal, Ms. Jackson said that the action would not be "the final word" from the E.P.A. on the regulation of carbon dioxide emissions.

The White House has signaled that it fully supports Ms. Jackson's approach, deferring to her to discuss the administration's response to the Supreme Court case. Benjamin LaBolt, a White House spokesman, also pointed to statements on the subject during the presidential campaign by Heather Zichal, a top adviser on environmental and energy issues.

Ms. Zichal, who is now deputy to <u>Carol Browner</u>, the White House coordinator for climate and energy policy, said last fall that the Bush White House had prevented the E.P.A. from making the endangerment finding "consistent with its obligations under the recent Supreme Court decision." She said that while Mr. Obama supported Congressional action on climate change, he was also committed to using the regulatory authority of the executive branch to reduce global warming emissions.

If the E.P.A. determines that carbon dioxide is a dangerous pollutant to be regulated under the <u>Clean Air Act</u>, it would set off one of the most extensive regulatory rule-makings in history. Ms. Jackson knows that she would be stepping into a minefield of Congressional and industry opposition and she said that she is trying to craft a program that would allay these worries.

"We are poised to be specific on what we regulate and on what schedule," she said. "We don't want people to spin that into a doomsday scenario."

Even some who favor an aggressive approach to climate change are wary of the E.P.A. asserting exclusive authority over carbon emissions. They say that the Clean Air Act, now more than 40 years old, was not intended to regulate ubiquitous substances like carbon dioxide. They also believe that a broader approach that addresses all aspects of the economy and is fully debated in Congress would better than a regulatory action that could easily drag through the courts for years.

The finding and the proposed regulations would be issued in sequence, with ample opportunity for public comment and not in a sudden burst of regulatory muscle-flexing, Ms. Jackson said. The regulations would work in concert with any legislation and not supplant it, she added.

"What we are likely to see is an interplay of authorities, some new, some existing," she said.

That is not likely to assuage critics, including many Democrats from states dependent on coal-generated electricity and manufacturing jobs, where such regulation could significantly increase costs. Representative John D. Dingell Jr., the Michigan Democrat who has long championed the interests of the American auto industry, said that regulation of carbon dioxide emissions by the E.P.A. would set off a "glorious mess" that would resonate throughout the economy.

Senator John Barrasso, Republican of Wyoming, warned Ms. Jackson during her January confirmation hearing that she should not undercut Congress's authority by using the E.P.A.'s regulatory power to address global warming. He called the use of the Clean Air Act to regulate carbon "a disaster waiting to happen."

Many environmental advocates said the E.P.A.'s action is long overdue. But they see the measure, they said, as a stopgap until Congress passes comprehensive climate change legislation.

"It's politically necessary, scientifically necessary and legally necessary," said David Bookbinder, chief climate counsel at the <u>Sierra Club</u>, one of the plaintiffs in the Supreme Court

case. But he said that Congressional action is preferable to E.P.A. acting on its own. "We are loudly advocating for tailor-made legislation as the best means of addressing carbon emissions. Trying to address climate change via a series of rulemakings from E.P.A. is a distant second best."



Re: Broder story is out. Richard Windsor to: Allyn Brooks-LaSure

02/18/2009 06:52 PM

From: Richard Windsor/DC/USEPA/US

To: Allyn Brooks-LaSure/DC/USEPA/US@EPA,

Allyn Brooks-LaSure

----- Original Message ----From: Allyn Brooks-LaSure
Sent: 02/18/2009 06:46 PM EST
To: Richard Windsor
Subject:

(b) (5)

EPA to Regulate Greenhouse Gases

By JOHN M. BRODER

WASHINGTON - The <u>Environmental Protection Agency</u> is expected for the first time to regulate carbon dioxide and other greenhouse gases that scientists blame for the warming of the planet, according to top Obama administration officials.

The decision, which likely would play out in stages over a period of months, would have a profound impact on transportation, building standards, manufacturing costs and how utilities generate power. It could accelerate the progress of energy and <u>climate change</u> legislation in Congress and form a basis for the United States' negotiating position at <u>United Nations</u> climate talks set for December in Copenhagen.

The E.P.A. is under order from the <u>Supreme Court</u> to make a determination whether carbon dioxide is a pollutant that endangers public health and safety, an order that the Bush administration essentially ignored despite a near-unanimous belief among E.P.A. experts that the research points inexorably to such a finding.

<u>Lisa P. Jackson</u>, the new E.P.A. administrator, said in an interview that she has asked her staff to review the latest scientific evidence and prepare the documentation for a so-called endangerment finding, although she said she had not made a final decision to issue one. But she pointedly noted that the second anniversary of the Supreme Court decision, in Massachusetts v. E.P.A., is April 2. "We here know how momentous that decision could be," she said. "We have to lay out a road map."

She took a first step on Tuesday when she said the agency would reconsider a Bush administration decision not to regulate carbon dioxide emissions from new coal-burning power plants. In announcing the reversal, Ms. Jackson said that the action would not be "the final

word" from the E.P.A. on the regulation of carbon dioxide emissions.

The White House has signaled that it fully supports Ms. Jackson's approach, deferring to her to discuss the administration's response to the Supreme Court case. Benjamin LaBolt, a White House spokesman, also pointed to statements on the subject during the presidential campaign by Heather Zichal, a top adviser on environmental and energy issues.

Ms. Zichal, who is now deputy to <u>Carol Browner</u>, the White House coordinator for climate and energy policy, said last fall that the Bush White House had prevented the E.P.A. from making the endangerment finding "consistent with its obligations under the recent Supreme Court decision." She said that while Mr. Obama supported Congressional action on climate change, he was also committed to using the regulatory authority of the executive branch to reduce global warming emissions.

If the E.P.A. determines that carbon dioxide is a dangerous pollutant to be regulated under the <u>Clean Air Act</u>, it would set off one of the most extensive regulatory rule-makings in history. Ms. Jackson knows that she would be stepping into a minefield of Congressional and industry opposition and she said that she is trying to craft a program that would allay these worries.

"We are poised to be specific on what we regulate and on what schedule," she said. "We don't want people to spin that into a doomsday scenario."

Even some who favor an aggressive approach to climate change are wary of the E.P.A. asserting exclusive authority over carbon emissions. They say that the Clean Air Act, now more than 40 years old, was not intended to regulate ubiquitous substances like carbon dioxide. They also believe that a broader approach that addresses all aspects of the economy and is fully debated in Congress would better than a regulatory action that could easily drag through the courts for years.

The finding and the proposed regulations would be issued in sequence, with ample opportunity for public comment and not in a sudden burst of regulatory muscle-flexing, Ms. Jackson said. The regulations would work in concert with any legislation and not supplant it, she added.

"What we are likely to see is an interplay of authorities, some new, some existing," she said.

That is not likely to assuage critics, including many Democrats from states dependent on coal-generated electricity and manufacturing jobs, where such regulation could significantly increase costs. Representative John D. Dingell Jr., the Michigan Democrat who has long championed the interests of the American auto industry, said that regulation of carbon dioxide emissions by the E.P.A. would set off a "glorious mess" that would resonate throughout the economy.

Senator John Barrasso, Republican of Wyoming, warned Ms. Jackson during her January confirmation hearing that she should not undercut Congress's authority by using the E.P.A.'s regulatory power to address global warming. He called the use of the Clean Air Act to regulate carbon "a disaster waiting to happen."

Many environmental advocates said the E.P.A.'s action is long overdue. But they see the measure, they said, as a stopgap until Congress passes comprehensive climate change legislation.

"It's politically necessary, scientifically necessary and legally necessary," said David Bookbinder, chief climate counsel at the <u>Sierra Club</u>, one of the plaintiffs in the Supreme Court case. But he said that Congressional action is preferable to E.P.A. acting on its own. "We are loudly advocating for tailor-made legislation as the best means of addressing carbon emissions. Trying to address climate change via a series of rulemakings from E.P.A. is a distant second best."



Re: Broder story is out.



Allyn Brooks-LaSure to: Richard Windsor

02/18/2009 06:54 PM

Allyn Brooks-LaSure/DC/USEPA/US From: Richard Windsor/DC/USEPA/US@EPA. To:

MABL.

Richard Windsor

02/18/2009 06:51:09 PM

From: Richard Windsor/DC/USEPA/US

Allyn Brooks-LaSure/DC/USEPA/US@EPA To:

Date: 02/18/2009 06:51 PM Subject: Re: Broder story is out.

Allyn Brooks-LaSure

---- Original Message -----

From: Allyn Brooks-LaSure **Sent:** 02/18/2009 06:46 PM EST

To: Richard Windsor

EPA to Regulate Greenhouse Gases

By JOHN M. BRODER

WASHINGTON - The Environmental Protection Agency is expected for the first time to regulate carbon dioxide and other greenhouse gases that scientists blame for the warming of the planet, according to top Obama administration officials.

The decision, which likely would play out in stages over a period of months, would have a profound impact on transportation, building standards, manufacturing costs and how utilities generate power. It could accelerate the progress of energy and climate change legislation in Congress and form a basis for the United States' negotiating position at United Nations climate talks set for December in Copenhagen.

The E.P.A. is under order from the Supreme Court to make a determination whether carbon

dioxide is a pollutant that endangers public health and safety, an order that the Bush administration essentially ignored despite a near-unanimous belief among E.P.A. experts that the research points inexorably to such a finding.

<u>Lisa P. Jackson</u>, the new E.P.A. administrator, said in an interview that she has asked her staff to review the latest scientific evidence and prepare the documentation for a so-called endangerment finding, although she said she had not made a final decision to issue one. But she pointedly noted that the second anniversary of the Supreme Court decision, in Massachusetts v. E.P.A., is April 2. "We here know how momentous that decision could be," she said. "We have to lay out a road map."

She took a first step on Tuesday when she said the agency would reconsider a Bush administration decision not to regulate carbon dioxide emissions from new coal-burning power plants. In announcing the reversal, Ms. Jackson said that the action would not be "the final word" from the E.P.A. on the regulation of carbon dioxide emissions.

The White House has signaled that it fully supports Ms. Jackson's approach, deferring to her to discuss the administration's response to the Supreme Court case. Benjamin LaBolt, a White House spokesman, also pointed to statements on the subject during the presidential campaign by Heather Zichal, a top adviser on environmental and energy issues.

Ms. Zichal, who is now deputy to <u>Carol Browner</u>, the White House coordinator for climate and energy policy, said last fall that the Bush White House had prevented the E.P.A. from making the endangerment finding "consistent with its obligations under the recent Supreme Court decision." She said that while Mr. Obama supported Congressional action on climate change, he was also committed to using the regulatory authority of the executive branch to reduce global warming emissions.

If the E.P.A. determines that carbon dioxide is a dangerous pollutant to be regulated under the <u>Clean Air Act</u>, it would set off one of the most extensive regulatory rule-makings in history. Ms. Jackson knows that she would be stepping into a minefield of Congressional and industry opposition and she said that she is trying to craft a program that would allay these worries.

"We are poised to be specific on what we regulate and on what schedule," she said. "We don't want people to spin that into a doomsday scenario."

Even some who favor an aggressive approach to climate change are wary of the E.P.A. asserting exclusive authority over carbon emissions. They say that the Clean Air Act, now more than 40 years old, was not intended to regulate ubiquitous substances like carbon dioxide. They also believe that a broader approach that addresses all aspects of the economy and is fully debated in Congress would better than a regulatory action that could easily drag through the courts for years.

The finding and the proposed regulations would be issued in sequence, with ample opportunity for public comment and not in a sudden burst of regulatory muscle-flexing, Ms. Jackson said. The regulations would work in concert with any legislation and not supplant it, she added.

"What we are likely to see is an interplay of authorities, some new, some existing," she said.

That is not likely to assuage critics, including many Democrats from states dependent on coal-generated electricity and manufacturing jobs, where such regulation could significantly increase costs. Representative John D. Dingell Jr., the Michigan Democrat who has long championed the interests of the American auto industry, said that regulation of carbon dioxide emissions by the E.P.A. would set off a "glorious mess" that would resonate throughout the economy.

Senator John Barrasso, Republican of Wyoming, warned Ms. Jackson during her January confirmation hearing that she should not undercut Congress's authority by using the E.P.A.'s regulatory power to address global warming. He called the use of the Clean Air Act to regulate carbon "a disaster waiting to happen."

Many environmental advocates said the E.P.A.'s action is long overdue. But they see the measure, they said, as a stopgap until Congress passes comprehensive climate change legislation.

"It's politically necessary, scientifically necessary and legally necessary," said David Bookbinder, chief climate counsel at the <u>Sierra Club</u>, one of the plaintiffs in the Supreme Court case. But he said that Congressional action is preferable to E.P.A. acting on its own. "We are loudly advocating for tailor-made legislation as the best means of addressing carbon emissions. Trying to address climate change via a series of rulemakings from E.P.A. is a distant second best."



Re: Broder story is out. Richard Windsor to: Allyn Brooks-LaSure

02/18/2009 06:55 PM

From: Richard Windsor/DC/USEPA/US

To: Allyn Brooks-LaSure/DC/USEPA/US@EPA,

(b) (5)

Allyn Brooks-LaSure

---- Original Message -----

From: Allyn Brooks-LaSure Sent: 02/18/2009 06:46 PM EST

To: Richard Windsor

(b) (5)

EPA to Regulate Greenhouse Gases

By JOHN M. BRODER

WASHINGTON - The <u>Environmental Protection Agency</u> is expected for the first time to regulate carbon dioxide and other greenhouse gases that scientists blame for the warming of the planet, according to top Obama administration officials.

The decision, which likely would play out in stages over a period of months, would have a profound impact on transportation, building standards, manufacturing costs and how utilities generate power. It could accelerate the progress of energy and <u>climate change</u> legislation in Congress and form a basis for the United States' negotiating position at <u>United Nations</u> climate talks set for December in Copenhagen.

The E.P.A. is under order from the <u>Supreme Court</u> to make a determination whether carbon dioxide is a pollutant that endangers public health and safety, an order that the Bush administration essentially ignored despite a near-unanimous belief among E.P.A. experts that the research points inexorably to such a finding.

<u>Lisa P. Jackson</u>, the new E.P.A. administrator, said in an interview that she has asked her staff to review the latest scientific evidence and prepare the documentation for a so-called endangerment finding, although she said she had not made a final decision to issue one. But she pointedly noted that the second anniversary of the Supreme Court decision, in Massachusetts v. E.P.A., is April 2. "We here know how momentous that decision could be," she said. "We have to lay out a road map."

She took a first step on Tuesday when she said the agency would reconsider a Bush administration decision not to regulate carbon dioxide emissions from new coal-burning power plants. In announcing the reversal, Ms. Jackson said that the action would not be "the final word" from the E.P.A. on the regulation of carbon dioxide emissions.

The White House has signaled that it fully supports Ms. Jackson's approach, deferring to her to discuss the administration's response to the Supreme Court case. Benjamin LaBolt, a White House spokesman, also pointed to statements on the subject during the presidential campaign by Heather Zichal, a top adviser on environmental and energy issues.

Ms. Zichal, who is now deputy to <u>Carol Browner</u>, the White House coordinator for climate and energy policy, said last fall that the Bush White House had prevented the E.P.A. from making the endangerment finding "consistent with its obligations under the recent Supreme Court decision." She said that while Mr. Obama supported Congressional action on climate change, he was also committed to using the regulatory authority of the executive branch to reduce global warming emissions.

If the E.P.A. determines that carbon dioxide is a dangerous pollutant to be regulated under the <u>Clean Air Act</u>, it would set off one of the most extensive regulatory rule-makings in history. Ms. Jackson knows that she would be stepping into a minefield of Congressional and industry opposition and she said that she is trying to craft a program that would allay these worries.

"We are poised to be specific on what we regulate and on what schedule," she said. "We don't want people to spin that into a doomsday scenario."

Even some who favor an aggressive approach to climate change are wary of the E.P.A. asserting exclusive authority over carbon emissions. They say that the Clean Air Act, now more than 40 years old, was not intended to regulate ubiquitous substances like carbon dioxide. They also believe that a broader approach that addresses all aspects of the economy and is fully debated in Congress would better than a regulatory action that could easily drag through the courts for years.

The finding and the proposed regulations would be issued in sequence, with ample opportunity for public comment and not in a sudden burst of regulatory muscle-flexing, Ms. Jackson said. The regulations would work in concert with any legislation and not supplant it, she added.

"What we are likely to see is an interplay of authorities, some new, some existing," she said.

That is not likely to assuage critics, including many Democrats from states dependent on coal-generated electricity and manufacturing jobs, where such regulation could significantly increase costs. Representative John D. Dingell Jr., the Michigan Democrat who has long championed the interests of the American auto industry, said that regulation of carbon dioxide emissions by the E.P.A. would set off a "glorious mess" that would resonate throughout the economy.

Senator John Barrasso, Republican of Wyoming, warned Ms. Jackson during her January confirmation hearing that she should not undercut Congress's authority by using the E.P.A.'s regulatory power to address global warming. He called the use of the Clean Air Act to regulate carbon "a disaster waiting to happen."

Many environmental advocates said the E.P.A.'s action is long overdue. But they see the measure, they said, as a stopgap until Congress passes comprehensive climate change legislation.

"It's politically necessary, scientifically necessary and legally necessary," said David Bookbinder, chief climate counsel at the <u>Sierra Club</u>, one of the plaintiffs in the Supreme Court case. But he said that Congressional action is preferable to E.P.A. acting on its own. "We are loudly advocating for tailor-made legislation as the best means of addressing carbon emissions. Trying to address climate change via a series of rulemakings from E.P.A. is a distant second best."

Fw: Coal Combustion Waste: New Draft CERCLA 104 (e) letter and Draft Justification Statement for the ICR

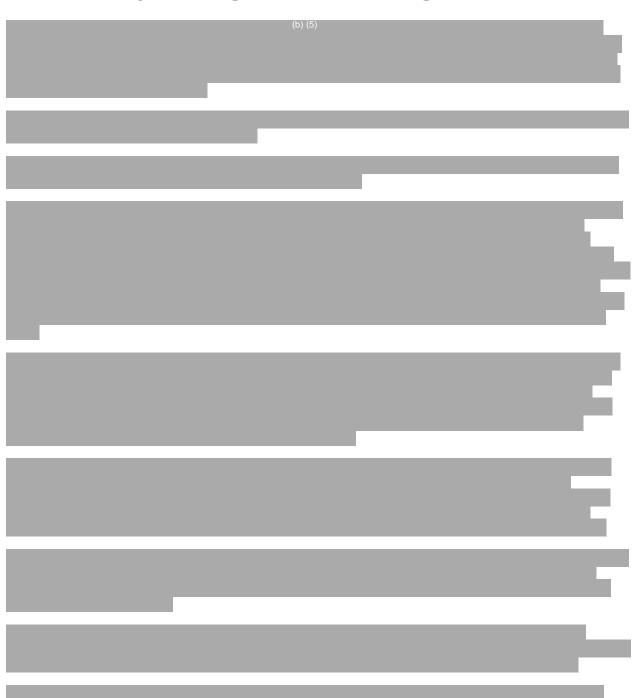
Bob Sussman to: Richard Windsor 02/18/2009 07:44 PM

Cc: David McIntosh, Eric Wachter, Robert Goulding, Scott Fulton

Bob Sussman/DC/USEPA/US From:

То: Richard Windsor/DC/USEPA/US@EPA,

Cc: David McIntosh/DC/USEPA/US@EPA, Eric Wachter/DC/USEPA/US@EPA, Robert Goulding/DC/USEPA/US@EPA, Scott Fulton/DC/USEPA/US@EPA



(b) (5)

Robert M. Sussman Senior Policy Counsel to the Administrator Office of the Administrator US Environmental Protection Agency

----- Forwarded by Bob Sussman/DC/USEPA/US on 02/18/2009 06:53 PM -----

Barry Breen/DC/USEPA/US

02/18/2009 06:00 PM To Bob Sussman/DC/USEPA/US@EPA

СС

Subject Coal Combustion Waste: New Draft CERCLA 104 (e) letter

and Draft Justification Statement for the ICR

Dear Bob,

As you requested, here are the current 104(e) draft and the current ICR justification.

I think we left it that getting your edits is the next steps, but if you'd prefer a different path we'll follow up accordingly.

Barry

----- Forwarded by Barry Breen/DC/USEPA/US on 02/18/2009 05:55 PM -----

From: Betsy Devlin/DC/USEPA/US
To: Barry Breen/DC/USEPA/US@EPA

Cc: Matt Hale/DC/USEPA/US@EPA, Matt Straus/DC/USEPA/US@EPA, Jennifer Wilbur/DC/USEPA/US@EPA, Ellyn Fine/DC/USEPA/US@EPA, Richard

Mattick/DC/USEPA/US@EPA, Robert Dellinger/DC/USEPA/US@EPA, Richard

Kinch/DC/USEPA/US@EPA

Date: 02/18/2009 04:03 PM

Subject: New Draft CERCLA 104 (e) letter and Draft Justification Statement for the ICR

Barry

Per your request, attached are:

- 1. The current draft CERCLA 104(e) letter. I have attempted to incorporate the comments that you gave us yesterday. I have modified the questions to ask for documentation and have added a question on "spills" or "releases" from the unit.
- 2. The current draft Justification Statement for the ICR.





Please let me know if you have any questions or comments.

Betsy Devlin

Michigan UIC Permit Issue that Governor Granholm may raise

Bob Sussman to: Richard Windsor

Cc: Joyce Frank, Robert Goulding, Eric Wachter, David McIntosh

From: Bob Sussman/DC/USEPA/US

Richard Windsor/DC/USEPA/US@EPA, To:

Cc: Joyce Frank/DC/USEPA/US@EPA, Robert Goulding/DC/USEPA/US@EPA, Eric

Wachter/DC/USEPA/US@EPA, David McIntosh/DC/USEPA/US@EPA



Robert M. Sussman Senior Policy Counsel to the Administrator Office of the Administrator **US Environmental Protection Agency**

02/18/2009 09:37 PM



Ebony

Eric Wachter, Robert Goulding, Allyn Brooks-Lasure Richard Windsor

02/18/2009 10:23 PM

From: Richard Windsor/DC/USEPA/US

 $\label{thm:condition} \begin{tabular}{ll} \b$ To:

Let me know as soon as we have the date for the Ebony photo shoot.

Maybe we can schedule my official photo for later the same day ...

Re: Ebony

Richard Windsor, Eric Wachter, Robert Goulding, Allyn **Robert Goulding**

Brooks-Lasure

02/18/2009 10:59 PM

Robert Goulding/DC/USEPA/US From:

Richard Windsor/DC/USEPA/US@EPA, "Eric Wachter" <wachter.eric@epa.gov>, "Robert Goulding" <goulding.robert@epa.gov>, "Allyn Brooks-Lasure" <Brooks-lasure.allyn@epa.gov>, To:

This message has been replied to. History:

Looks like it will be this friday at the WH unfortunately. I have your appt w christina and the official photo on for nxt week, though. I can try to find time for christina sometime before ebony on fri - it may be tough. Richard Windsor

---- Original Message -----

From: Richard Windsor

Sent: 02/18/2009 10:23 PM EST

To: "Eric Wachter" <wachter.eric@epa.gov>; "Robert Goulding"

<goulding.robert@epa.gov>; "Allyn Brooks-Lasure" <Brooks-lasure.allyn@epa.gov>

Subject: Ebony

Let me know as soon as we have the date for the Ebony photo shoot.

Maybe we can schedule my official photo for later the same day ...